



MAP
of the
CARONDELET & BAYOU ST. JOHN CANAL
THE PROPERTY OF THE
N.O. CANAL & NAVIGATION COMPANY

Lots of Wagner & M^r Eugene & Franklin Place, Phil

LAKE PONTCHARTRAIN

FAUBOURG CARONDELET

Orphan Asylum
Miles' Donation

Orphan Asylum
Miles' Donation

MISSISSIPPI RIVER

3

REPORT

OF A COMMITTEE OF THE
BOARD OF DIRECTORS

AND OF THE

MANAGING DIRECTORS

OF THE

NEW-ORLEANS

Canal and Navigation Company,

WITH LETTER OF SAMUEL J. PETERS, Esq.

HARRISON'S REPORT AND PLANS.

CHARTER OF THE NEW-ORLEANS CANAL AND
NAVIGATION COMPANY.

Acts of the Legislature of Louisiana relating thereto.

Charter and Plan of Improvements with estimates
&c. &c.



PHILADELPHIA

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1858.

REPORT

OF THE

COMMISSIONERS OF THE

LAND

OFFICE

IN

RESPONSE TO A RESOLUTION OF THE

LEGISLATURE

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PAID BY THE STATE

TO THE COMMISSIONERS OF THE LAND OFFICE

FOR THE YEAR 1881

IN RESPONSE TO A RESOLUTION OF THE

LEGISLATURE

OF THE

LEGISLATURE

OF THE

1881

LETTER
OF THE
PRESIDENT OF THE LOUISIANA STATE BANK
TO THE
BOARD OF DIRECTORS
OF THE
ORLEANS NAVIGATION COMPANY;
WITH
REPORTS
OF
M. HARRISON, CIVIL ENGINEER
ON THE
CONTEMPLATED IMPROVEMENTS,
OF THE
CANAL CARONDELET
AND
BAYOU ST. JOHN.

THE

REPORT OF THE

COMMISSIONERS

OF THE

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LETTER, & c .

LOUISIANA STATE BANK, }
New Orleans, Oct. 23, 1849. }

GENTLEMEN

The Stockholders of the Orleans Navigation Company, having found it impossible to accede to the proposition of this Bank, made on the 19th July last, the object of which was to enable the Company, by important improvements to the Canal Carondelet, Bayou St. John, and Harbour, &c., to extinguish by gradual instalments the debt due this Institution ; and has no steps have since been taken by the Company to effect so desirable an arrangement, it becomes necessary that some plan be adopted whereby that object may be attained.

The last communication of your President to this Board, dated the 12th instant, shows, that not only you are unable to pay any portion of your receipts to this Bank, it being entitled under its judgment to any surplus over the necessary expenses, but that those receipts are inadequate to keep the navigation of the Harbor, Bayou and Canal in a condition to entitle your Company to retain the valuable perpetual privileges conferred upon it by its charter.

Thus the position of your Company is such at this time, that your stock is valueless, and that without aid from other sources than from your stockholders, it must so remain ; and those privileges they possess, which, by a moderate investment of capital, and judicious management of the affairs, would eventually be of very great value, may soon be entirely lost.

It is then under these very discouraging circumstances, I now respectfully address you by authority of the Board of Directors of this Institution, and urgently invite your attention to a plan I herewith submit, by the adoption of which, and by its speedy execution, the

revenues of the Company will soon reach a point at which it will be able to pay its debts, retain its valuable privileges, and at the same time incalculably advance the commerce of our city, more particularly of that portion within which your Basin, Canal, &c., are situated.

The great increase of trade with Alabama, Georgia and Florida, during the last three years, is well known to you. There is a great and growing desire with very many planters of those States to transact their business in New-Orleans; many steamboats already running from the upper towns on the Alabama river, direct to this city, passing without stopping at the commercial emporium of Alabama, and I have the best authority for saying that the only obstruction which at this time presents itself to a yet more rapid and permanent increase of business from that source, is the inconvenience of reaching the city from Lake Pontchartrain, as you are aware that the boats navigating the Alabama river and its tributaries cannot with safety come to us laden with *cotton*, via the Gulf and Mississippi river.

The business of the upper Canal has already nearly reached its maximum, unless very great expenses are incurred to extend the capacity of the Canal and Basin to accommodate the trade. It is not probable that such expenses will be incurred by the present proprietors, as in a few years the Canal and dependancies will become the property of the State.

The other mode of conveyance of produce from the Lake to the city, is the Ponchartrain Railroad. Great inconvenience attends this; its ability to afford the necessary conveniences to facilitate the trade I refer to, is very questionable, even if its management were directed by more skill, and evinced more disposition to accommodate the commercial interests; but it is notorious that the short sighted policy of that Company has created so great a prejudice against the Road, that none would use it, if equally facile communication with the Lake could be had elsewhere.

All these considerations, in my opinion, show the importance of ameliorating, and without delay, the navigation of the Bayou St. John, and that the returns consequent on such an outlay as may be necessary to effect it, will amply compensate those who may be disposed to thus invest their money.

But the direct profits thus derived will be insignificant, in comparison to the profit that will result to property holders in the vicinity

of the Bayou, Canal and Basin. An increase of many millions may with confidence be counted on, if the trade referred to be attracted thither. Yet even this would be secondary to the great general advantage which every portion of our city and every branch of industry would participate in, by permanently securing so vast an increase of trade with the growing and prosperous States to which I have alluded.

The plan, the adoption and execution of which will, I conceive, accomplish such varied and important benefits, is this:

It being assumed that the Orleans Navigation Company cannot extricate itself from the pecuniary difficulties in which it is placed.

First. That the Orleans Navigation Company lease to a Company, to be formed for that purpose, all its property, rights and privileges, of whatever nature they may be, for a term of years, as in hereafter provided.

Second. Such Company to be organized under the General Corporation Act, for the purpose of widening and deepening the Bayou St. John, Canal Carondelet, Harbor, ect., as lessees of the Orleans Navigation Company, with a capital of \$400,000, and to be called the "Bayou St. John Transportation Company."

Third. Said property, rights, &c., to be leased either by auction, or by private lease, to those who may propose the shortest time; the consideration of such lease being:

1. To make all such works and improvements as may be previously determined as necessary, by the Orleans Navigation Company and the Louisiana State Bank, and within a time to be specified.

2. To pay all the existing debts of said Orleans Navigation Company, which shall also be specified.

3. It must be a condition of the lease, that during the period of its continuance, the Stockholders of the Orleans Navigation Company will annually, conformably with the provisions of the charter, meet and elect such directors as the lessees may designate, being stockholders in said Orleans Navigation Company, and that the Board so constituted shall do and make all acts,, which may be required of them by said Company which may be legally done, in order to carry into effect the object of the lessees, and the true intent of the charter.

I am authorized by the Board of Directors of this Bank to assure you, that if this Company be formed on the basis above stated, the

Louisiana State Bank will subscribe thereto the sum of \$50,000; which sum will be in deduction of so much of the debt due the Bank, and will allow to the Bayou St. John Transportation Company so formed, from one to fifteen years, to pay the balance to the Bank by instalments of one fifteenth each year; the first payment to be made on the 1st of January, 1853, the interest to be payable annually at the rate of 6 per cent. per annum after the 1st January 1851.

The debt due the Louisiana State Bank is entitled to be paid by preference to any other; all debts due to others, (understood to be about \$60,000) cannot be paid until that to this Bank is extinguished; but the Bank will not object to other creditors taking stock in the proposed Company to the amount and in liquidation of their respective claims, which must first be examined and ascertained by the Bank.

I have now submitted to you, gentlemen, an outline embracing the fundamental feature of the plan proposed, many details will doubtless suggest themselves to you, and it will be to the interest of all concerned, that in perfecting the arrangements, if the plan should prove acceptable to your stockholders, the aid of experienced and able counsel be obtained.

I will take this occasion to add a few remarks, tending to show the practicability of the plan suggested.

No practical man in this community will for a moment question the correctness of the views I have submitted for your consideration, touching the beneficial effects which would result from the proposed improvements, on general as well as individual interests; and the only part of it I have heard questioned, has been in regard to that the most essential to its accomplishment, namely: the possibility of procuring the pecuniary means necessary. But I cannot permit myself to think that a project so fruitful in good results, will be looked upon with indifference by our citizens; it will benefit all, and injure none. The efforts being made by our enterprising neighbors above the city to withdraw from us our commerce, must eventually be crowned with success, unless all concerned in keeping the city where it is, exert their energies and their means to avail themselves of the natural advantages of our position. Whether to attribute to accident, or to the sagacity of Bienville, the location of New-Orleans, it were needless to examine. but it will not be questioned by any person who will care-

fully examine the topography of the delta of the Mississippi, from the Gulf to Baton Rouge, that a site more advantageous could not possibly have been selected. The advantage is derived from its proximity to Lake Pontchartrain, and the facility with which it may be reached by vessels via the Bayou St. John departing from its centre.

Yet gentlemen, this great natural advantage, in consequence of the dilapidated condition of your works, is in no manner felt; and the Bayou has been converted into a common sewer, for the reception of the filth of the city.

In connection with this subject it may not be deemed irrelevant to state, that the Navigation Company should take immediate steps to prevent the draining of the city into the Bayou St. John.

The right thus to obstruct its navigation cannot be possessed by the City or by the Draining Company, as its exercise would conflict with the chartered rights of the Navigation Company, as well as with public rights, which have been recognized from time immemorial.

No legal power can any where exist, to render unnavigable a navigable stream. If the drainage of the city be much longer continued into the Bayou, it is evident it will soon be rendered entirely useless for navigation, or a very large annual expense must be incurred by the Company for removing the deposit thereby made.

Plans and estimates of the proposed improvements have been made by order of the Bank, by an experienced Civil Engineer. They comprise as follows:

| | | |
|---|--|-------------|
| <i>First Section.</i> —The enlargement and deepening of the Basin and Canal Carondelet, - - - | | \$24,475,00 |
| <i>Second Section.</i> —Straightening and deepening 2 miles and 300 feet of the Bayou St. John, commencing at the junction of the Canal and Bayou, - | | 19,370,00 |
| <i>Third Section.</i> —Straightening and deepening remainder of the Bayou to the Harbor at the Lake. | | 27,680,00 |
| <i>Fourth Section.</i> —Construction of two piers, 2,500 feet long, and Pier-head, and Dredging Harbor, removing old materials, and removing Light-house, | | 95,840,00 |
| Cost of Dredging Machine, - - - | | 10,000,00 |

| | | | | |
|---|---|---|---|---------------------|
| Contingencies, embracing cost of Superintendence, in. | | | | |
| cluding Roads and Bridges, | - | - | - | 22,635,00 |
| Total cost, | - | - | - | <u>\$200,000,00</u> |

There plans are at your service, and such alterations can be made as may be agreed on.

Those improvements being made, the Harbor at the Lake would be eighty feet wide near the site of the Old Fort, and four hundred and thirty feet wide between the extremity of the two piers; steamboats of the largest class, and navigating the Alabama river and its tributaries, and the Lakes, laden with cotton, would be able to come up the Bayou St. John to its junction with the Canal Carondelet, while those of smaller size, and such sailing vessels as now navigate the lakes, could with facility come up the Canal Carondelet to the Basin.

The Bayou St. John, from the bridge to the junction with the Canal, it is proposed to make a vast Basin, widening at the upper part, so that the largest sized boats may easily turn therein; say to be 450 feet wide. At this point boats will discharge their cargoes of cotton, &c., and take in return cargoes of produce, groceries, and other merchandise.

The Road along the Canal Carondelet should be in such case Macadamized with broken stone or shells; and a Railroad constructed along a parallel and adjacent street, from the Great Basin to or near Congo Square.

The authorities of the First Municipality would doubtless cause the first to be done, and private enterprise would find abundant profit in constructing the latter.

The additional expense for constructing the Great Basin will probably not exceed \$50,000, making the total cost of all the works proposed to be made, \$250,000.

At a moderate estimate, the annual nett income of the Company during the five years succeeding the completion of the works, would average \$50,000; but it would steadily increase with the prosperity of the vast planting region, which would ever be tributary to it.

All these important works may be perfected within eighteen months from this time.

Very Respectfully Gentlemen,

Your Obedient Servant,

SAMUEL J. PETERS,

President.

To the President and Directors of the Orleans Navigation Company.

REPORT, &c.

To W. T. HEPP and J. REED,

{ *Committee of Investigation for the
Louisiana State Bank.*

GENTLEMEN:

In compliance with your request, I have made such surveys and examinations of the Canal Carondelet and Bayou St. John, as will enable me to lay before you an approximate estimate of the probable cost of improving their navigation, so that they may be made to meet the demands of our rapidly increasing lake trade, and also a source of revenue to the stockholders, and owners of the adjacent property. And here, before entering upon the details of this report, permit me to say, that it has often been a matter of surprise to me that this Canal Carondelet, upon which so much money has been expended, and the beautiful Bayou St. John, with all its natural advantages, have been neglected, if not overlooked, by the sagacious and enterprising of our city. Here nature has done almost every thing—the hand of man but little. It is true that great outlays have been made, but I do not think they have been judicious. I know of no improvement connected with the prosperity of our great city, which calls as loudly for immediate enterprise and action as the one to which you have done me the honor to direct my attention and ask for a report.

In order to understand and have a full knowledge of my subject, an accurate hydrographical survey was absolutely necessary. This I have made.

The entire length of present navigation is $5\frac{3}{4}$ miles and 880 feet, of which $1\frac{1}{2}$ miles and 573 feet is Canal and Basin, and $4\frac{1}{4}$ miles and 307 feet is composed of Bayou and Harbor navigation, the defects of which my examination soon made me aware of. They are as follows.

1st. A shallow, contracted, and perfectly unprotected harbor at the mouth of the Bayou, where every thing in connexion with it is in a ruinous state; a harbor, in short, in every respect unsuited for the purpose. 2nd, the shallowness of the Bayou St. John in some parts; the great obstruction caused by the mooring and rafting of timber in it: also, its crooked course rendering its navigation tedious and expensive; to which may be added the illy-constructed drawbridge and its bad management. 3rd. The Canal and Basin, the former being entirely too narrow for more than three-fourths of its length, and the latter not having sufficient landing to accommodate a lively trade.—Both want deepening, and the Canal to be disencumbered of those absurd structures called bridges, of which there are five in number, two carriage and three foot, completely obstructing this portion of the Canal, and a source of constant complaint and annoyance to masters of vessels. I deem their removal absolutely necessary, or else a more proper construction of others, under efficient management on the part of the municipality, so as not to interfere in the least with the navigation—add to the above, the great want of attention that manifests itself in every department necessary to the conducting of a work like this; no effort being made to dredge out the harbor, which has at low water only $3\frac{1}{2}$ to 4 feet, rendering it impossible for vessels to enter the Bayou, and thus driving them to other ports better able to accommodate. From which we are warranted in concluding, that unless something effectual be done, another season will close the navigation of old Bayou St. John. With a view, however, of preventing this, and not only of restoring the navigation to what it was in its palmy days, but placing it upon a far more extensive and secure footing, I offer to your consideration the following projects, coupled with estimates based on detailed examinations and calculations.

Dividing the entire line of navigation into four sections, we will investigate each in the order the surveys were conducted. For the first, the Canal and Basin, both of which require to be deepened so as to give seven feet at low water; and to have removed or excavated certain masses of earth which will materially add to their dimensions, and thus afford far better accommodations to vessels. Some other improvements are also necessary, such as the building of certain portions of brick wall, and the repairing of the present one in various parts.

By reference to the map, you will perceive the depth of water, and the masses of earth above alluded to. Estimating for this portion of the work, as section No. 1, we have as follows. First as regards the basin.

| | |
|--|-------------------|
| For excavating 5,200 cubic yards of earth, at 25 cents | |
| per cubic yard, - - - - - | \$1,300,00 |
| Building 217 feet of brick wall on the north side - | 1,450,00 |
| General Repairs, &c., - - - - - | 400,00 |
| Total, - - - - - | \$3,150,00 |

Relative to the Canal, by removing the masses of earth as shown on the plan, we obtain a uniform width throughout, of 63 feet, the present width of that portion, which may be said to be complete. and comprised between the mouth of the Basin and Theme-street.

Although this improvement cannot be accomplished without a considerable outlay—it being one of the heaviest portions of the whole work, yet I deem it so absolutely necessary that I must beg of you not for any consideration to pass it by.

The working of this section can be greatly facilitated by calling to aid the draining machine at the head of the Bayou St John, which by keeping off the water will enable the works to be both better and more speedily executed. Under such views I estimate for the Canal as follows:—

| | |
|---|--------------------|
| Excavating and removing 71,700 cubic yards of earth, | |
| at 25 cents, - - - - - | \$17,925,00 |
| Building 76 feet brick wall, - - - - - | 500,00 |
| Constructing 1927 feet Landing, with Piles and Sheathing, also Dam across mouth of Canal, - - - | 2900,00 |
| Total for Canal, - - - - - | \$21,325,00 |
| “ Basin, - - - - - | 3,150,00 |
| | \$24,475,00 |

For which sum, if the work is pushed hard under favorable circumstances, they can be completed in ninety days, and the navigation of the Canal resumed.

I would here call your attention to the disposal of the excavated earth; I have no doubt it can be sold to individuals for filling up lots at a fair price, and thus diminish the principal cost materially.

The second section I shall confine between the mouth of the Canal and that part of the Bayou called the Devil's Elbow or Grand Cut-Off. It is two miles and 300 feet long, and embracing that portion of the Bayou where a steamboat landing projected, and on account of its embracing the three draining machines, causes it to be subject to heavy dredging operations. Relative to these draining machines, I would remark, that they have done their work towards filling up the Bayou, and that the evil in future will be inconsiderable—as in the first drainage of the swamps, from the nature of things, more deposit was thrown into the Bayou. An inspection of the soundings in the vicinity of the draining machines, will show the frightful extent to which they have contributed to impede the navigation—particularly at the mouth of the Canal, where there is four feet at low water. The deposit consisting chiefly of black mud, is most easily and economically removed by a dredge boat, which we will here consider.

A good and efficient dredge boat will cost, say \$10,000, and worked for the sum of \$25 per day; throwing out under moderate circumstances 300 cubic yards per day—thus giving from 8 to 9 cents, say 10 cents, as the cost per cubic yard, which I deem to be an outside estimate, sufficient to cover all contingent expenses.

Perhaps it would be advisable to have two good dredge boats. One working on the upper sections, and the other constantly employed at the Harbor. I shall however, estimate but for one.

By reference to the map it will be seen that I propose cutting off the principal points of the Bayou. This is done with a view to give more facility to boats rounding the turns, and that they may also have a clearer view of each other, and thus render concussion less liable. The advantage of this, at the mouth of the Canal in particular, is apparent. For this section, then, we have as follows:

| | |
|---|-------------|
| Removing 24,000 cubic yards by manual labor, at 40 cts. | \$9,600,00 |
| Dredging 66,700 “ “ by dredge boats, at 10 cts. | 6,670,00 |
| Constructing 1,000 feet of steamboat landing, with piles and sheathing, - - - - - | 3,000,00 |
| | <hr/> |
| | \$19,276,00 |

Section No. 3, is embraced between the Devil's Elbow and the head of the projected Harbor, opposite the Old Fort. It is on this section we find those crooked portions of the Bayou so tedious to navigate, and to remedy which, I propose to cut a canal, having such locations as shown on the plan. Indeed, if steamers are to navigate the Bayou, this Canal is indispensable; its construction will also save an immense amount of dredging both at present and future, for an inspection of the soundings show general shoal water throughout this portion of the Bayou. The distance saved in length of navigation by the Canal is about 1300 feet, whereas in point of time there is no comparison.

The Canal will be 3,500 feet long, and should have as great a sectional area as the Bayou at this point, say 500 square feet; hence a Canal 60 feet wide at ground surface, 40 feet wide at the bottom, and 10 feet deep, will answer every purpose. Estimating upon such premises, we have for this section.

| | | |
|---|---|-------------|
| Excavating of 56,450 cubic yards, at 40 cents, | - | \$22,580,00 |
| Dredging out Bayou, cutting off point, and constructing 300 feet of landing near warehouse, | - | 5,100,00 |
| | | <hr/> |
| | | \$27,680,00 |

Thus we have arrived at the head of the Harbor, with an estimate of little over \$81,000, including Dredge Boat—a sum which, if judiciously expended, would more than meet the works contemplated; unless, indeed, some unforeseen obstacles arise, and unfavorable circumstances attend the execution of the work—though in my examinations I found nothing to give rise to such apprehensions.

The excavations generally are so large that stumps, logs, &c., are easily managed, and do not now give the trouble in the execution of such works as heretofore, when so little, compared with the present, seemed to be known upon such matters. The same remark will apply to the pulling up of the old piles, and sheathing in the present harbor, and elsewhere.

We will now consider the 4th and last section, comprising the Harbor and its appendages. I have projected this upon a bold, extensive, and durable plan, and it will be the heaviest portion of the work.

Referring you to the plan, please notice the full and dotted red lines drawn from the shore into the lake, a distance of about 25,000 feet. They represent the proposed Piers, which, with a spherical triangular Pier Head, form the Harbor.

Thus you perceive that my design embraces all the dilapidated works of the present harbor, which, of course, must be removed. A good harbor demands it—and let me assure you that nothing was projected without mature study and deliberation, contrasting the past want of judgment in construction and want of foresight concerning the future demands of commerce.

Suffice it for me to say that a large and capacious Harbor is absolutely necessary to accommodate the increasing lake trade, and must be constructed upon such principles as to ensure its stability, and afford at all times, and under all circumstances, a commodious and safe roadstead for vessels. Upon such principles have I designed the Harbor in question, it being 80 feet wide at the head, near the Old Fort, and gradually opening as it extends into the Lake—where at its mouth it is 430 feet between the extremity of the piers—thus enclosing an area of about 800,000 square feet, and so protected from the drift sand by the protecting pier heads as to insure always a good depth of water, if proper attention is paid to the working of the dredge boat. The pier head is admirably adapted, by form and magnitude, to stand the shock of the waves, and divert their effect upon the piers in such manner as to cause the least injury. You will notice that this pier head extends beyond the extremity of the piers, thus giving two entrance channels of 150 feet, so protected as almost to defy the entrance of sand. And here let me observe that it is impossible, by any means that I am aware of, to entirely keep out the sands from harbors constructed upon such shallow lakes as Lake Pontchartrain. All we can do is to use such a mode of construction as will prevent the forming of shoals immediately outside the mouth, and be prepared to dredge out all that may enter and deposit itself over the bed of the Harbor; for it is preferable to work a dredge boat inside a harbor protected from winds and waves, than outside, where, from stress of weather but little can be effected. I feel confident that my design is capable of meeting the above demands, and if properly executed, I have no fears of its success.

The entrance channels, where one would be led to suppose the greatest dangers exists, I consider better guarded against drift sand than any part of the harbor. The sands will of course enter the harbor through the channels, but the very cause that brings the evil is the best means of removing it, as far as the entrance channels are concerned; for both Westerly, Southerly and Easterly winds blowing into either of the channels, cause the current of the Bayou to rush out of the other—thus continually keeping up a scouring effect upon the bed, which if occasionally aided by the dredge boat, cannot fail to keep these important passages open.

Having thus imperfectly described the projected harbor, and what I consider to be some of its advantages, in point of construction I proceed to estimate its cost:

EAST PIER.

Length, 2,250 feet; width, 50 feet; mass, 39,843 cubic yards.

MATERIAL.

| | | | |
|--|---|---|-------------|
| 49,500 feet of piling lumber, at 6 cents, | - | - | \$2,970,00 |
| 270,000 feet board measure, of 3 by 12, at \$12 per M. | | | 3,240,00 |
| 39,920 cubic yards removed from Harbor and put in | | | |
| Pier, | - | - | 10,620,00 |
| Workmanship, Iron fixtures, &c. &c., | - | - | 5,660,00 |
| Total, | - | - | \$22,480,00 |
| Say, | - | - | \$22,500,00 |

WESTERN PIER.

Length, 2,570 feet; width, 50 feet; mass, 44,300 cubic yards.

MATERIAL.

| | | | |
|---|---|---|------------|
| 56,680 feet of piling timber, at 6 cents, | - | - | \$3,400,00 |
| 308,400 feet board measure, 3 by 12, at \$12 per M. | | | 3,700,00 |

ROADS AND BRIDGES.

On the contemplated Canal, 800 feet of the present Shell Road will be destroyed, and must be re-constructed. Also, a good Tow Path from the head of the harbor to Roman street. This should be well constructed in the first instance, as much depends upon it.

As there was however, a former road along the Bayou, (on the left side, where I deem it best for the tow path to be made,) its cost will be inconsiderable :

For constructing 800 feet of Shell Road, \$1,200,00

For constructing 4½ miles and 1240 feet of Tow Path

6 feet wide, with sand and shells, brick bridges,

and other cross-ways, included 6,500,00

\$7,700,00

Collecting the various sums, we have for a

GRAND TOTAL.

First Section—Basin and Canal, \$24,475,00

Second Section—Two miles 300 feet of Bayou, 19,370,00

Third Section—Remainder of Bayou, 27,680,00

Fourth Section—Harbor, 95,840,00

Roads and Bridges, 7,700,00

\$175,065,00

To which add Dredging Machine, 10,000,00

\$185,065,00

Let us add to the above \$10,000 for contingent expenses, cost of superintendence, &c. &c., and we have—say \$195,000, for which sum, in eighteen months, working under favorable circumstances, the work can be completed.

If the Harbor is thought to be projected upon too large a scale, a smaller one can be formed. I shall not estimate, however, for such a project, as I deem it inexpedient.—My report and plan embodies sufficient data for any modification of my designs—estimates for which can be made when any thing definite is determined on.

I would call your attention to a proposed Dry Dock at the head of the village—a natural site, promising many advantages for such a work.

I shall enter into no estimates for the cost of working the line of navigation when completed, as much depends upon the extent of the work, and the general system adopted for carrying it on.

In conclusion, I beg leave to state, that the improvement contemplated by you cannot be too highly regarded. If we look at the New Canal we shall observe that it is already choked with trade, and yielding a revenue of upwards of sixty thousand dollars per annum. In a short time the increasing trade of the Lake will be forced to seek new accommodations; and if the enterprise entertained by you can be carried out, I doubt not but the tide of commerce will return to its natural course, and the wide fields near the Canal Carondelet, and adjacent to the Bayou St. John, will be occupied by stores and dwellings, and the cheerful hum and bustle of commerce will usurp the place of the silence and solitude which now prevails. The many thousands of industrious people that are annually swelling the tide of population in New-Orleans, must be provided with suitable locations for business and for dwellings. The citizens and owners of property of the Second Municipality have not been blind to their interests; and the results of their Municipal sagacity are amazing. The citizens and owners of property in the old city proper, if they will not shut their eyes to the great natural advantages which they possess, may yet save their immensely valuable property from that rapid decline in value which is now threatening to overwhelm them.

All of which is most respectfully submitted, by

Your Obedient Servant,

M. HARRISON,

Civil Engineer.

TO THE PRESIDENT AND DIRECTORS OF THE LOUISIANA STATE BANK.

GENTLEMEN :

I have the honor to lay before you, in the shape of *addenda* to my former report on the projected improvement of the Bayou St. John, some further views relative to an undertaking which, from its magnitude and important influence on the future commercial prosperity of New Orleans, is daily attracting an increased share of public attention.

The more thoroughly we examine the scheme in question and familiarize ourselves with its details, the better are we satisfied of its vast importance. Once fairly executed, it must, under judicious management, not only yield a handsome revenue to the stockholders, but be of great commercial utility and advantage to the whole community. The Bayou St. John, a deep inlet, navigable for vessels as large as any that sail Lake Pontchartrain, possesses superior advantages from its natural position, leading as it does, in connection with a short canal, into the heart of a great and growing city, and affording a ready channel for the commodities most in demand in every metropolis. The trade in cattle with the Florida parishes is large and increasing; the importation of brick has always been great; the vast forests on the opposite shores afford an almost inexhaustible supply of lumber, and such is the demand at all seasons, that not less than 300 saw-mills are in active operation between the line of the Amite and Pensacola. The pine forests furnish some of the finest masts and spars in the world. The imports of cotton from those regions are so large, that the revenue to be derived from this article alone would almost justify the proposed expenditures for improvements. And here I may observe that the purport of these remarks is not to recommend any retrenchment of the plans recommended in a former report that was viewed by some as taking too bold a view of the case; but rather to suggest an enlargement of them to meet a commerce that has been increasing since the first improvements were made by the intelligent and enlightened Baron de Carondelet in 1795, and which, while our city stands, must grow with its growth and strengthen with its strength.

Pursuant to your resolution, I have again made the requisite examinations, and find nothing to occasion any material alteration in my former views. I will however suggest some modification of the Lake Harbor and landings, which will, in some degree, reduce the former estimates.

But the work proposed will admit of little or no retrenchment. If not executed on a large scale, so as to afford every requisite facility to vessels and trade, the undertaking will most certainly fail, our money and labor be wasted, and the whole remain a monument and warning of the absurd inutility of half measures and of grand undertakings on a small scale. Look at our rival, the Orleans Canal! No ill-advised retrenchment would have drawn thither its present array of shipping. Its landings have been extended neaply half a mile, and what little more than a year ago was a bare shell road has become a depot for building materials. The buildings themselves will soon arise: the streets be paved, and, as a necessary result, the value of adjacent property will increase. Its commerce is seven-fold that of the Bayou St. John; yet, unquestionably, the latter possesses the greatest natural advantages, and, under judicious management, with a liberal, but not wasteful expenditure of funds on necessary improvements, attention to the wants of commerce and the means of facilitating it, would yet rival if not surpass its competitor. I wish to force upon your consideration the absolute necessity of making the contemplated improvements, if to be made at all, upon such a plan and scale as will insure success. Trade will ever flow where it finds the widest and most convenient channel, where its wants are best provided for, and its operations facilitated. No half conveniences, no false economy will do. A bad article will always find a bad market whenever it has to compete with any thing better.

I have given this part of the subject much attention; as an engineer I know its importance, and as a matter of professional duty I wish to place it before you in a stronger light than a mere dry calculation by cents and inches can afford. Former works have resulted in the failure their littleness deserved; drew little trade, and are at last of little use. Vessels must have room for themselves and their cargoes, and if not afforded in one place, they will abandon it for another and a better.

There are many other things in an undertaking of this nature that cannot be well estimated in a mere general report; for instance, warehouses, train-ways, and other accommodations to commerce. These things develop themselves as the works progress, or after their completion, and must be provided in proportion to the demand manifested. My former report did not touch upon this, nor does it now require more than a passing notice.

With these observations, I proceed to submit the results of my recent investigations; condensing such matters of my former report as it may be necessary to refer to, the more completely to lay the subject open before you.

In relation to the Harbor, at the Lakes, my views are much the same as formerly. Perhaps some modification of my former plan may better meet the views of a part of your Board. Referring to this it will be seen, that there is but one angle between the old Fort and the bath-house or a point near the latter; thus making two straight reaches, the outer one being nearly in the direction of the former bed of the Bayou. I find the west pier considerably damaged by recent gales; but the east one is in good condition. I would retain the latter in its present position, extending and widening it to a suitable degree. The width between this pier and the wall of the old Fort is $93\frac{1}{2}$ feet, a space sufficient for the entrance of the Harbor. If more be requisite, perhaps it *might* be obtained by excavating the wall, &c., of the Fort; an operation which would cause the point immediately above the Fort to be also cut off, thus giving a straight reach to the head of the harbor, an object that should be obtained, if possible, unless to the prejudice of more important objects. But as the Fort may some day become useful in a military point of view, nothing should be done to impair its utility in that particular, but rather to increase it. If the entrance of $93\frac{1}{2}$ feet be sufficient, it would be preferable to excavate below the Fort in a line with its water face as far as the lake shore; and indeed, if gardens, &c., are contemplated, it might be carried as far as the angle above mentioned, say 1000 feet. At this point I would start the west pier 450 or 500 feet distant from the eastern one and parallel to the same; thus giving a Harbor, say 500 feet in width by 1500 in length, and a surface of 750,000 square feet—being nearly the same area I formerly proposed. I have been led to thus modify it by the contemplated formation of a Harbor at the

head of the Bayou, which would of course draw many vessels from the other.

As regards construction, I would renew the recommendations of my former report; the piers to be 50 feet wide, the pier heads of the same dimensions. This work could be executed for say less by \$5000 than the sum originally proposed. The widening of the Harbor will occasion but a trifling additional expense, the principal cost being that of dredging. Were it widened, a row of warehouses with suitable landings might be erected on the piers themselves, which could receive an extra width for the purpose.

An approximative estimate gives 3600 old piles, all of which should be removed, a perfectly feasible operation, and not requiring discussion—they never should have been placed where they are. I have not the requisite time, nor do I deem it necessary, to detail at present the peculiar manner of construction or the cost of items. This can only be done after such close examinations have been made as the engineer can base his contracts upon.

The subject next claiming our attention, is the proposed widening of the Canals or cut-offs to 80, instead of 60 feet, of which I highly approve. I would only modify their form, say 80 feet at top, 50 at bottom, and depth 10 feet, thus giving a cross-section of 650 square feet; the length being 3500 feet, the cost would be \$33,720. I have no doubt that for a small additional sum per cubic yard, the same contractor would distribute the excavated earth so as to form the necessary guard levees, and widening of the Shell Road. This is estimated under the head of Roads and Bridges.

In reference to roads and guard banks, a vexatious question arises which I will touch upon in the sequel.

As to the old Basin and Canal Carondelet, I would make no alteration other than suggested in my former report; except in constructing the Landing without sheathing, which would reduce the expense by about \$800.

It is possible that the formation of a harbor at the head of the Bayou may render it expedient to dispense with the intended widening of the Canal, and eventually to filling up the latter. I am not an advocate for any such measure; the City is at present too far distant, and the roads leading to it being yet unpaved, would subject the delivery of

merchandize to too great inconvenience and expense. I would, on the contrary, strongly recommend the widening and deepening of the Canal, as set forth in my former report.

The present site of the Bayou Bridge is objectionable; a much better one would be the point where the Metairie Road debouches on the Bayou, say Allard's old house, where the stream begins to narrow; though the difference of width is very slight. The proposed removal would enable travellers to cross directly to or from the Metairie Road, without making, as at present they are compelled to do, a circuit of nearly half a mile. And above all, its present awkward construction should be changed.

The natural location of the Harbor—intended to be excavated at the head of the Bayou—in reference to the city, presents many advantages, to which I need hardly call your attention. The Bayou road gives a good and ready means of communication for the lower part of the harbor; but about 3,500 feet are still unpaved. The Shell Road, along the Canal Carondelet, affords another. Bienville street, from its fine width, will, when paved or shelled, offer a ready avenue to the very centre of the city; and is already paved as far as Clairborne street, leaving to be paved about 6160 feet. Its width from Clairborne street is near 100 feet, so that we have thus a wide avenue conducting travel latterally to all the leading paved streets.

The harbor could ultimately be connected with Common street, by Hagan Avenue, a distance of about 3,400 feet. But as these matters are extraneous to this report, I will not present estimates of their expense, &c. Yet as they may eventually form not an unimportant part of the entire improvement meditated, I would respectfully draw your attention to it; for the success and utility of the harbor itself will in no small measure depend upon good and cheap communications with the city; and among the best and cheapest of all would be a railway, which might be immediately laid down, and which, independently of the amount of freight it would enable us to transport with facility and speed, would ensure a handsome income from passengers alone, who would prefer it to the Pontchartrain railway, as it would be more central.

The limited time allowed me to make this report compelled me to devote the whole of it to the execution of such surveys and examina-

tions as were indispensable to base general estimates upon. I am therefore unable to lay before you a detailed plan of my views concerning the harbor in question—the accompanying figurative sketch will, however, show its general features. I would not recommend adhering too closely to the present form of the Bayou as embraced by the existing levees—it would be ill-shaped and neither so commodious or convenient as the form proposed. The harbor as planned and estimated for is 350 feet wide between parallel lines, and 1,000 feet long, commencing on the left side of the Canal and extending to the draining machine at Orleans street. The smaller portion between the Canal and the new draining machine could conveniently be made 150 by 200 feet; it is included in the estimate, as I am of opinion that it can be rendered useful. This plan would require a suitable draining canal to be cut around the works on the left side to enable the machine to continue its draining operations, as I recommend using both the machines to lay dry the canal and that part of the Bayou intended as a Harbor—all of which together with a pivot bridge over the mouth of the canal is comprised in the estimate for the harbor hereinafter submitted.

Before concluding, I would even at the risk of being considered tedious, call your attention to another advantage incidental to your proposed improvement. I mean the proper draining and leveeing necessary to secure your works.

The subject is of grave importance, for among the plans submitted to the City and Legislature for protecting New Orleans against future inundations, there are some which will, if carried out, materially affect the success of your enterprise, and could only be met in their consequences by heavy additional expenditures beyond what my estimates call for. It is an undeniable fact that the existing crevasse at Bonnet Carré has materially affected the level of the Lake. Notwithstanding the prevalence of westerly winds, the Lake has been higher by upwards of seventeen inches than it has ever been known to be under similar circumstances. The recent easterly winds, though slight, have covered the grounds at the mouth of the Bayou to a depth of over twelve inches, covering also a portion of the shell road, and subjecting the inhabitants to no little inconvenience. The only remedy for such an evil is proper drainage, which of course implies embanking or leveeing. That this must be resorted to if the Mississippi be tapped above

New Orleans, so as to throw its swollen waters into Lake Pontchartrain, is evident to all who have taken the trouble to investigate the matter. As to protecting the city from crevasses by such a plan, I must, with all due deference for the opinions of others, wholly dissent from any such measure. As an engineer, I regard it as not merely ridiculous, but fraught with mischief to the surrounding country, and to the success of your own projects in particular. On the 12th of February, instant, the Lake water stood only 35 ins. below the level of the Sauve crevasse, backing up into the gutters of Liberty street, and flooding the 4th and 2d Wards; and during the heavy rains was only twenty-two inches below the crevasse waters of last year. The area covered by crevasse waters is upwards of 1400 square miles.

Now to remedy this so far as your works are concerned, one of three things must be done: 1st. The tow-path and shell road must be raised at least three and a half feet above the ordinary level of the lake, or about eighteen inches higher than the present roadway. Even then it would be only on a level with the high water of that huge reservoir, and eighteen inches below the hurricane tide of 1831. The measure would also be an expensive one; and it would be long ere the road could become fairly consolidated and fit for travel.

2d. Four guard levees might be raised to dam off the water from the roads, and a similar system of levees at the lake would protect the village there. This however would be a poor expedient, as we should have leakage and rain water to contend with within, which would necessarily demand proper engines to throw it out.

3d. The most efficient measure would be to ensure a thorough drainage of the entire district embraced between the New Canal (which is already leveed) and the Pontchartrain Railway. The present location of the draining machine occasions absolute injury to the navigation of the Bayou by gradually filling up its bed with a deposite daily thrown into it by the machines. They should be removed to the Lake, where they could conveniently drain the whole District in question. The views recently set forth by the Commissioners appointed to enquire into the "most effectual means of protecting the city from inundation," would, if carried out, go far towards facilitating this measure, and materially aid the execution and diminish the expense of our plans.

Under this system a lock would be requisite, to be placed near the mouth of the Bayou. which if properly constructed would very little

inconvenience its navigation, and would enable the waters in the Bayou to be kept at any level, with the aid of the draining machines; affording at the same time a most thorough drainage of the city and district, and checking, in continuation with the proposed system of levees, any overflow from back water of Lake Pontchartrain.

In conclusion: allow me to observe that the objections raised by some of your members to my former report, have received full and attentive consideration, especially those advanced against the construction of a pier head to the Lake Harbor. This I consider absolutely indispensable, and the plan suggested in my former report the best that could be used; nor is this the opinion of myself alone, but that of all practical men and engineers, among whom I may be permitted to mention Messrs Dunbar and Ranney, who fully concur in my view as to its utility and necessity.

I submit a recapitulated statement of the entire cost:

| | |
|---|------------------|
| Canal and Basin, | \$23,675 |
| Projected Harbor at Bayou Head, | 50,000 |
| Bayou between Harbor and Devil's Elbow, | 13,000 |
| Proposed Canal, serving as cut-offs, | 33,720 |
| Widening and Dredging Bayou at Sec. No. 3 of former report, | 27,000 |
| Lake Harbor, | 90,800 |
| Roads and Bridges, | 8,000 |
| Dredging Machine, say | 12,000 |
| Contingent Expenses, Superintendence, &c. | 10,000 |
| Total, | \$268,195 |

All which is respectfully submitted,

M. HARRISON,
Civil Engineer.

New Orleans, 20th February, 1850.



TO THE PRESIDENT AND DIRECTORS OF THE NEW
ORLEANS CANAL AND NAVIGATION COMPANY.

Gentlemen,

The undersigned your committee appointed in pursuance of a late resolution of your board, to prepare and report a statement of the affairs of the Company, embracing an exhibit of its property, the progress and condition of its operations at New Orleans, the amount of money already expended, the probable amount required to complete the undertaking, and the resources of the Company which may be safely relied upon derived from the revenues of the Canal Carondelet and Bayou St. John, and the Shell Road along the right bank of said Canal and Bayou and from other sources ; beg leave respectfully to report : That upon entering upon the duty assigned to them, they were furnished with the report of the Committee of Managing Directors, which as it embodies all the information desired by your resolution your Committee ask leave to adopt the same as their report, and recommend its acceptance by the Board, and that it be published for distribution.

Respectfully,

(Signed)

P. C. WRIGHT,
ARCH'D ROBERTSON,
OLIVER HOUGH.

MANAGING DIRECTORS REPORT.

*To the President and Directors of the New Orleans Canal
and Navigation Company.*

The undersigned your Committee of Managing Directors respectfully report :

That since their report which was submitted to the Board in March last, the works of the Company at New Orleans have progressed rapidly towards completion.

The early appearance of the epidemic and the extreme heat of the weather compelled us to suspend the work of excavation at the upper and lower basins early in the month of July last, so that their operations since that period until now have been confined to laying down of the piers for the pass at the Lake and completing of the Dredge Boat, and even these operations have been seriously retarded by the prevailing sickness which rendered it impossible to procure mechanics or laborers. On the first day of September the Dredge Boat was finally set at work removing obstructions in the new pass. These obstructions were heavy piles driven to a great depth, which were the foundation of a light-house long since removed ; also a portion of the old pier which formed the easterly side or bank of the former pass, which was constructed in a very substantial manner, of heavy piles about ten feet apart, the intermediate space being filled with strong plank piling bolted to longitudinal timbers extending from pile to pile. This work was ten feet in width filled in with broken bricks, it extended one hundred feet and upwards diagonally across the pass. These obstructions are now so far removed, that vessels of the largest class may pass with facility. The dredging machine performs its work to our entire satisfaction, exceeding even, our expectations. In dimensions, strength, capacity and adaptation to the purpose of extracting piles, stumps and

sunken timber, as well as excavation, it far surpasses any other machine of the kind in the country. It is built upon the "Baltimore Model," having an endless chain of excavators or buckets, with modern improvements, amongst which are new and ingenious inventions designed for easy handling of the machine, and saving in the number of men requisite for properly working it, five men only beside the engineer being required. We have fairly tested its capacity in our heaviest excavation, and may safely promise that it will excavate twelve hundred yards per day, in the most difficult portion of our works, except when there are stumps to be extracted. The entire expense of working with ordinary repairs, will not exceed fifteen dollars per day.

We feel constrained in this place by a sense of justice, to speak in terms of unqualified praise of Capt. O. A. Pitfield, who has displayed in the construction of this machine, great ingenuity, skill and judgment, for which he is entitled to our thanks and highest commendations. For the more full and complete information of your Board respecting all matters pertaining to our enterprise with its antecedents, and to save ourselves long explanatory details, which otherwise would be unavoidable, we have thought proper to lay before your Board with this our report, a letter of Samuel J. Peters, Esq., President of the Louisiana State Bank, and one of the oldest and most prominent citizens of New Orleans, which was published and extensively circulated in that city, and awakened the attention of the community to the value and importance of the enterprise which you have undertaken, and lead to the action of the Legislature through which our Company has acquired the property, rights and franchises of the late Orleans Navigation Company. Also in connection, we transmit to you the report of Mr. Harrison, Civil Engineer, to Messrs W. T. Hepp and J. Reed, of a "Committee of Investigation for the Louisiana State Bank," which exhibits the plan which the Legislature has thought proper to prescribe for the improvement of the Canal Carondelet and Bayou St. John, designated in the act "Harrison's Plan." Also, the general corporation law of Louisiana, entitled, "An act for the organization of Corporations for works of public improvement and utility," Approved, March 12th 1852. Also, an act entitled, "An act relative to the Orleans Navigation Company, the Bayou St. John and Canal Carondelet," Approved, March 18th 1852. Also, the Charter of the late "Orleans Navigation Company," entitled, "An act for improving the

improving the inland navigation of the territory of Orleans," with supplementary acts. Also, sundry acts of Congress relating to the "Orleans Navigation Company." Your Committee have also caused to be executed a lithograph map exhibiting the entire work, as it will appear when fully completed, with a portion of the city of New Orleans from the Mississippi River to Lake Pontchartrain, a copy of which is appended to this report. This map exhibits the work completed according to "Harrison's Plan," with the following variations, which it must be admitted are decided improvements upon that plan.

First. The great Basin at the junction of the Canal with the Bayou, has an area of 480 feet width at its widest point, with an average width of 400 feet, by a length of 2500 feet to a point between Dumaine and St. Philip streets, from that point to the crossing of Telemachus street, where the new bridge is being constructed by the city, the Bayou has an average width, with slight excavation of 220 feet, thus giving a basin affording greater facilities to commerce than that proposed by Mr. Harrison. It will be perceived that all the important business streets lead to this extended basin, at the termini of which vessels may lie and discharge their cargoes with equal facility, as most of these streets are now opened, and paved or shelled. The Basin will also be extended in Hagan Avenue to Bienville street, 250 feet wide by about 400 feet in length, which Mr. Harrison did not contemplate.

Second. The next departure from "Harrison's Plan," will be perceived at the point, where the excavation commences on the left bank of the Bayou, at the McDonough estate. From this point to the lake, the excavation is confined to the left bank, upon as nearly a right line as is practicable. Our reasons for adopting this plan are, that the excavation will really be less than Mr. Harrison proposed, while the general course of the Bayou is much ameliorated. The earth taken out can be more readily deposited for the road which we propose to construct along the left bank, than by transporting it often at considerable distances, which would be indispensable, were we to follow the plan of simply cutting off projecting points on either side of the Bayou alternately as was proposed. Then we are saved the loss of the present shell road, and the expense of constructing a new one opposite the points proposed to be cut off. But a more important consideration is, that we receive through our Bayou all the hewn timber which comes

to New Orleans by Lake Pontchartrain, the tolls of which at this time amount to upwards of ten thousand dollars for the current year, commencing with December last. This item in our revenues must necessarily increase, from the rapidly increasing demand for that article in the city of New Orleans, for its buildings and its immense wharves extending along the crescent, even now a distance of little less than twelve miles. The timber used for the purposes mentioned, is the yellow pine, and is supplied exclusively from the vast forests around the north shore of Lake Pontchartrain, and our Bayou and Canal afford its only avenue to a market. The toll upon this timber is one dollar per thousand feet, board measure. The custom of the dealers is, that the seller delivers the timber in the Bayou, reporting the same to our superintendent who assigns it a place, measures, and reports the quantity, number and mark, with the name of the owner, to the Toll Collector, and to the office of the Company. The purchaser pays the toll to the collector, whose receipt is the warrant of the superintendent to deliver the timber, which is permitted to remain in the Bayou for eight days without charge—after that period it is charged ten cents per thousand feet for every day it remains there. This custom has been found to suit all parties, and the penalty for delay relieves us of the inconvenience to commerce, which must result from a failure to enforce it. It will now be clearly perceived, that the numerous broad basins formed where our line of excavation, is most distant from the natural right bank of the Bayou, as its sharp bends afford a facility to the timber trade which is of the first importance, for without such facility, the navigation must be seriously impeded, or we must exclude all timber in rafts from the Bayou.

Third. The next variance from "Harrison's Plan," is at the Devil's Elbow, where it is proposed to construct our great "Centre Basin." Here it will be seen that it was proposed to construct a canal of 100 feet in width, across the base of the angle formed by the bend of the Bayou. We also propose to make such a canal, but the design is, further, ultimately to excavate the entire space between the proposed canal and the right bank of the Bayou; but as this entire basin is not contemplated by Mr. Harrison, and is consequently not required by the act of the legislature, it needs only to be done as the exigencies of business may require. Your Committee beg leave to express their views respecting the value and importance of this point in our works.

Here a ship-yard is already established by the Company, and a good and substantial building for workmen has been erected. We are now building our mud boats at this point, and have a large quantity of the materials collected for two propellers, to be used for the towing of vessels and timber; but of these we shall make mention hereafter.—A large deep Bayou enters here from the right, which affords ample space if it were necessary, for the launching of vessels or the deposit of timber. Here also it is proposed to construct a Dry Dock, which is now greatly needed, there being none at this time upon the lake, vessels requiring repairs are either taken by the river to Algiers opposite New Orleans, or to Mobile for a dry dock.

Fourth. The next point of variance is, at the last abrupt bend of the Bayou, a short distance above the “Old Fort;” at this place it is proposed to construct a third great Basin, which may serve as a port of refuge for vessels overtaken by a storm, where ours will be the only port which can be made with ease and safety.

Mr. Harrison, proposed that such a basin should be constructed by extending piers into the lake: (see his plan.) We propose to admit vessels by a broad, regular and feasible channel, a distance of about one mile from the extremity of the piers, to a commodious and safe harbor, beyond the force of wind and waves.

We beg leave to call your attention in this connection, to the fact, that by a resolution of the legislature of Louisiana some two years since, Congress was asked for an appropriation of money, to “construct a harbor of refuge for the commerce of Lake Pontchartrain.” An appropriation of twenty-five thousand dollars was granted.—The Board of Engineers adopted the plan of a Breakwater, extending about $4\frac{1}{2}$ miles at a distance of $2\frac{1}{2}$ miles from shore, covering the termini of the Pontchartrain Rail Road, the Bayou St. John, the Canal and Banking Company’s Canal, the Lafayette Rail Road, and the Carolton and Jefferson Rail Road. There were proposed to be three large openings in this Breakwater, to admit vessels to either of the points mentioned. This work was commenced about three months since, but is now suspended, and your Committee are informed and believe that the work will not be resumed, and that the plan will be abandoned as impracticable for the purpose designed. Your Committee indulge the hope ~~that~~ Congress may be induced to order the appropriation already made

to be expended in the completion of the harbor of refuge, which we have recommended and propose shall be made.

Fifth. The last portion of the work we have to notice in which we have departed from "Harrison's Plan," is the construction of the Pass at the lake. Here we have rejected his plan altogether. He proposed two piers, laid one hundred feet apart at the terminus of the excavated channel, and receding from each other, leaving a space three hundred feet wide between their extremities. This broad opening was proposed to be covered by a triangular pier head, on which the light house was to be erected. This project it will be seen by one inspection of his plan, involved the necessity of removing both the old piers entirely, with the exception of about one hundred feet of the left or western pier. The cost of such removal, by our estimates, would have greatly exceeded his, and we have found by our experience in removing but a small portion of those old piers, that even our estimates were too small for the actual cost. Besides, by our plan we preserve the entire right or easterly old pier as far as the angle therein, as shown on our map, which is a most substantial and permanent work, having withstood the test of time. From this point our new pier is projected 400 feet in length, by 21 feet in width, giving us nine feet of water at low tide at the extremity, where we have a pier head 60 feet square, on which the new light house is to be placed. The direction of this pier is N., 15° E. its terminus being about 300 feet to the right or eastwardly of the east pier, of the old channel.

It is now proposed to leave this broad opening, believing that there will never be found a necessity for constructing the west pier as projected on our map, beyond its intersection with, or the point where, if constructed, it would cross the old channel, thus saving to the Company a heavy expense and affording even a better harbor than the one proposed by Mr. Harrison. The western pier is now completed from the lake shore to its point of contact with the old channel; filled with broken bricks to high water mark, and the remaining space will be filled by our dredge boat from the channel.

The east pier is completed except 100 feet in length to reach the pier head, it is extended into 7 feet water, and is filled to high water mark with broken bricks, piled with three inch plank on the inner side driven five feet into the earth and strongly bolted to the pier timbers.

Piles are driven on the outer side every 30 feet, also strongly bolted. We have a sufficient quantity of timber on hand for completing the pier. The triangular pier head proposed by Mr. Harrison, covering the opening of the pass would prove very injurious. Our views upon this matter, are sustained by the opinions of engineers of great experience, and by men who have been accustomed to observe the peculiar structure of the lake shore, and the effects of the violent storms which prevail. Still water must necessarily be created on the inner side of the pier, and the stuffing sand borne onward by the waves through either opening would be precipitated there, forming a bar to be removed by the dredge, as often as a storm might occur. From the angle in the east pier to Millaudon's Canal, the channel is one hundred feet wide, and the excavation is complete except that which can only be done by the dredge. From Millaudon's Canal upwards to the first or lower basin, we have a width of from one hundred to one hundred and fifty feet, the variation in the width for this distance having been rendered necessary by a due regard to the interests and convenience of property owners, whom we aimed to disturb as little as possible. The excavation of this section is complete as far as it can be done, otherwise than by the dredge. From this basin upwards to the commencement of the line of excavation at the McDonough estate, the Bayou has a width of not less than one hundred and fifty feet at the narrowest point. In addition to what we have said, in passing, respecting the progress of our work, since our last report, we will now state, that there remains very little to be done upon the Canal to its junction with the Bayou at Hagan Avenue. Upon the great basin at Hagan Avenue the work is so far completed, that in a very short time our dredge will remove all obstacles to the use and perfect convenience of the basin, for the purpose of commerce, for the present and for one year to come. The entire work is two-thirds completed at the basin.

The city has already contracted for the building of a new bridge across the Bayou at Telemachus street, and it will be completed in about three months. The removal of the old bridge is a work of small magnitude.

The shell road along the right bank of the Bayou has been thoroughly repaired and supplied with shells. Near three thousand feet of new road has been made from the earth excavated from the lower basin, and extending along almost the entire eastern side

thereof. The bridges along the road extending over several small Bayous, have been repaired; ultimately these small Bayous will be filled up, and then only two bridges will be necessary, one across Marigny Canal, and one across the Bayou Bienville at the Devil's Elbow, which last should have a draw, to admit vessels to the shipyard; or, the street might be thrown back one square, where a small bridge would serve, and such an arrangement would save expense.

The large house belonging to the company at the lake and immediately opposite the old fort, has been thoroughly repaired and adapted to the purposes of a hotel. We have erected a dining-room, 40 by 30 feet; a kitchen, with range; a building for lodging-rooms, 60 by 20 feet; a bar-room, 35 by 20 feet; a stable, 120 feet long; a blacksmith shop, and an office—all upon the company's lot.

We have also erected one large double house, 40 feet square and two stories high, with two kitchens and servants' rooms in the rear, making two tenements, which we rent for boarding-houses for our mechanics and laborers; also, two large buildings, each 60 by 20 feet, one of which is used for a lodging-house for our laborers, and one for a carpenters' shop and tool-house. The first mentioned of these two buildings will be used hereafter for a warehouse, as its use for that purpose is now required. All these structures enumerated were indispensable. The hotel was demanded for the accommodation of persons visiting the lake for recreation. By affording this retreat, we have added greatly to our road tolls. The other structures were demanded, because we found it impossible to procure other accommodations for our mechanics and laborers at the lake. Our enterprise has produced decided improvement in property at that point, several new buildings are now going up, and mechanics and laborers are making permanent homes for themselves in that healthful and delightful locality, while gentlemen are turning their attention to the lake shore, to establish their country seats. We have, in the appendix to this report, shown the amount of money received from the treasurer, and the purposes to which it has been appropriated. We have also estimated the probable cost of the completion of our works, in compliance with the requirements of the act of the legislature, and the resources of the company, which may be safely relied upon, for that purpose.

In closing this report, we take the occasion to express our views respecting the character and importance of our undertaking. The views and opinions of Mr. Peters and of Mr. Harrison, so far as they extend, are ours. Were those gentlemen to write now upon the same subject, they would acknowledge that the half had not been written which might justly have been said.

Since the date of Mr. Peters' letter, the commerce of Lake Pontchartrain has more than doubled in amount, as we have the statistics to prove—since then, the revenues of the Canal and Banking Company's Canal have more than trebled, whilst the revenues of ours have not decreased—and the Pontchartrain Railroad this year, for the first time since that company was created, has divided 5 per cent. on its capital stock, after paying a debt nearly amounting to its entire capital. Within the present year two additional railroads have been extended to the lake from the centre of the city of New Orleans, and both are now doing a profitable business, realizing handsome profits upon their large investments.

The Canal and Banking Company's Canal pays this year nett, one hundred and twenty thousand dollars, as we are positively informed, notwithstanding the decrease of tolls from the corresponding period of last year, \$1,000 per week for two months during the late epidemic. Let us draw a comparison between that channel and ours, and see which has the advantage in the contest for supremacy in facilities for commerce, if such were necessary, where there is more than ample for both. That channel is $7\frac{1}{4}$ miles in length, 50 feet wide, and 5 feet deep, with a contracted basin at its city terminus, wholly inadequate, and which cannot be enlarged except at an enormous cost, being surrounded on all sides by established streets, upon which are substantial and expensive brick buildings. Its original cost to the Canal Bank was *one million of dollars*; additional for repairs and enlargement, *two hundred thousand dollars*. It now pays, as we have shown, an interest of ten per cent. per annum on \$1,200,000.

Our channel, when completed according to our plan, is $4\frac{3}{4}$ miles in length; the canal $1\frac{1}{2}$ miles in length; for $\frac{1}{2}$ mile from the city terminus basin and between the walls, 60 feet wide; the remaining 1 mile to Hagar Avenue, 70 feet wide, and in its entire length 7

feet deep. The Bayou throughout its entire length not less than 150 feet wide at the narrowest points, and 10 feet deep. Our basin at the city terminus is equally capacious and better adapted to convenience than the other.

The dimensions of the remaining basins upon the Bayou have already been given. The entire cost of our channel completed, will not exceed three hundred thousand dollars, including the purchase money, sixty-nine thousand dollars. Our revenues for the current year ending on the first day of January next, will not be less than fifteen thousand dollars, which, though an amount quite insignificant, should be regarded with great satisfaction by you, as significant, when you consider that when we entered into possession of our purchase on the 17th day of December last, the pass at the lake was filled up with sand and rubbish, affording at low tide less than two feet of water, and that during the year unusually low tides have prevailed—that these obstacles could not be removed but by machinery, which we were unable to obtain until we could construct it. That the early appearance of the epidemic at New Orleans rendered it impossible to construct our machine sooner than we have done, because mechanics could not be obtained; that our shell road was in a sad condition, the bridges broken down, and we could offer no attractions at the lake for pleasure seekers, like our neighbors at the canal and railroads.

When we consider all these things, and that we are now in a condition to challenge all competitors, we think we may safely cherish high expectations.

Were we to call your attention to the various subjects worthy of your consideration, touching the value and importance of the enterprise to yourselves, and to the city of New Orleans, where you have already large interests and investments, this report, already too long, would necessarily be greatly extended; but we recommend to you to examine—and they are accessible to you—the statistics of the commerce of the gulf coast through Lake Pontchartrain and the Mississippi river with New Orleans, through the last ten years, and you will with us be astonished at its enormous amount, extent and value, especially when we consider that the resources of the vast territory whence that commerce is derived, are not yet begun to be developed—and that one of the main causes of slow

development of those resources, if not the only cause, is the want of due facilities to a market.

The gulf states—Florida, Georgia, Alabama, Mississippi, Louisiana, and Texas, have not a harbor save that of Pensacola, which is accessible by the largest class of sea-going vessels. The same may be said, with but two or three exceptions, of the West Indies, and the entire Mexican states. Those of our states which we have named, abound with small rivers, which water the richest portion of our country, if not of the whole earth. They are navigable by a class of small steamers, which never venture at sea, but will bear their valuable cargoes to the nearest coast market. That market is New Orleans, and the channel to it is through Lake Pontchartrain; through that channel the trade east of the Mississippi river comes exclusively; that from the west is drawn there, by expense of towage up the river, if brought by sailing vessels, or by the enormous port-charges and wharfage dues of the city, if brought by steamers.

One other cause of the slow development of the wealth and resources of the country of which we have been speaking, is, that the general government has been palpably neglectful of the demands and interests of southern commerce. This has arisen, not so much from partiality or niggardliness, as from the fact that southern representatives in congress have, from some unassignable cause, never asserted those demands, nor duly represented those interests. We may justly hope for a better state of things in this regard in future.

A small expenditure on the part of the general government would open Lake Pontchartrain to vessels drawing ten feet water. The only obstruction is at the point known as the "Middle Ground," at the entrance of the pass "Rigolets," where, at low tide, vessels drawing six feet cannot pass.

We have been politely furnished by Majors Chase and Beauregard, of the U. S. Engineers, with a plan and estimates for the improvement of the Middle Ground, which proposes to afford a passage to a large class of vessels drawing ten to twelve feet. The plan is feasible, and the cost will not exceed fifty thousand dollars. It cannot be that congress will withhold so trifling a sum, for so desirable an object. We have caused the plan and estimates to be laid before the proper department at Washington. It has been

approved, and an appropriation is now asked to complete the work, and when completed, we cannot undertake to estimate the amount to which our revenues may attain.

There are now six large first class steamers employed by the mail transportation company between New Orleans and Mobile, two of these leaving those cities each day, and the remaining four are employed in the coasting trade intermediate. There are also two sea steamers, forming a weekly mail between New Orleans, Pensacola, Tampa Bay, and Key West. A regular daily steamer to Madisonville, Mandeville, and other places immediately opposite New Orleans, along the North shore of the lake. A number of steamers which ply on Lake Mauripas and the rivers Comite, Amite, Tehefuncta, Tangipahoe, Pearl, and Pascagoula. Several regular lines, besides occasional steamers, make the "long trip" from New Orleans to Montgomery on the Alabama river. These are only a part of the sources of trade within our own borders. The trade with Texas and Vera Cruz, is carried on by a class of steamers and sailing vessels, for which the capacity of our channel is quite adequate, and which it will receive when the "middle ground" shall have been ameliorated. The same with the West Indies, the trade with which, except that by the New York steamers, is carried on exclusively in small sailing vessels. It can scarcely be necessary to enumerate farther the almost illimitable sources of commerce to which we may look for our revenues. We will now call your attention to works which should at once be put in construction, which are most important, and particularly required. They are, a dry dock at the Devil's Elbow, which is believed to be the most available point for that purpose—a large and capacious warehouse to be constructed upon the property of the company at the great basin, at Hagan Avenue—two steam propellers, of about sixty tons custom-house measurement, for the purpose of towing vessels and timber in the Bayou. These vessels would pay their entire cost in a few months. Horses are now used for towing.

We have in our appendix estimated the cost of completing our works, and of the structures proposed. It is our opinion that the work may be accomplished within eighteen months from this time, with the revenues alone, after the sum of ten thousand dollars shall

have been raised, which is wanted at an early day. We may safely estimate for the receipts of our canal, for the year commencing on the first day of January next, one hundred thousand dollars. From the shell road, on the right bank of the Bayou, at ten thousand dollars. We confidently believe that these estimates are not exaggerated. If, however, the increasing business should demand a more speedy prosecution of the work than the revenues above will admit, we doubt not that you will make prompt provision of means for that purpose, so that the work may be completed during the ensuing winter.

Respectfully submitted,

(SIGNED)

P. C. WRIGHT,
E. H. DURELL.
Acting Managing Directors.

We the undersigned Managing Directors, residing in the City of Philadelphia, having read the foregoing report of our associates, do approve the same and recommend its reception by the Board.

Dated Philadelphia, Oct. 31st, 1853.

(Signed.)

OLIVER HOUGH,
ARCH'D ROBERTSON.

(COPY.)

CHARTER

AND

BYE LAWS

OF THE

New Orleans

CANAL AND NAVIGATION COMPANY,

AND LAWS RELATING THERETO.



PHILADELPHIA.

PRINTED BY CHARLES H. BUTT, 62 WALNUT STREET.

1852.

OFFICERS FOR 1852, '53.

President,

STEWART NEWELL.

Treasurer,

ARCHIBALD ROBERTSON.

Secretary,

SAMUEL NEWELL, at Philada.

Assistant Secretary,

LOUIS GAGNET, at New Orleans.

Directors,

| | | |
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| STEWART NEWELL, OLIVER HOUGH, BERNARD DOUREDURE, ISAAC D. KNIGHT, | } of Philad. { | ARCHIBALD ROBERTSON JAMES A. CUMMINGS, ALEXANDER OSBOURNE, |
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| PHINEAS C. WRIGHT. | | EDWARD H. DURELL, of New Orleans, |
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| EDWARD H. DURELL, Attorney. | | PHINEAS C. WRIGHT, Counsellor. |
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STATE OF LOUISIANA.



AN ACT

For the organization of corporations for works of public improvement and utility.

SEC. 1 *Be it enacted by the Senate and House of Representatives of Louisiana, in General Assembly convened,* That from and after the promulgation of this act, it shall be lawful for any person or persons, not less than six, on compliance with the provisions of this act, to form themselves into and constitute a corporation for the following purposes, to wit: for the construction, working and maintenance of any railroads, canals, plank-roads, bridges, ferries and other works of public improvement, whether within or without the limits of this state; for manufactories of all kinds, opening and working of mines, construction and maintenance of docks, foundries, steamships or other vehicles for the transportation of freight or passengers, and generally all works of public utility and advantage; provided, that no corporation shall engage in mercantile or agricultural business in general, nor in commission, brokerage, stock-jobbing, exchange or banking business of any kinds.

SECT. 2. *Be it further enacted, &c.,* That every corporation which may be established under and by virtue of the provisions of this act, shall have power and authority, 1st, to have and enjoy succession by its corporate name, for the period expressed in its act of corporation, not exceeding twenty-five years; 2d, to contract, sue and be sued, in the corporate name; 3d, to make and use a corporate seal; 4th, to hold, receive, purchase and convey under its corporate name, property both real and personal; 5th, to name and appoint such managers, directors and officers as their interests and convenience may require; 6th, to make and establish such by-laws for the proper management

and regulation of the affairs of the corporation as may be necessary and proper, and not inconsistent with the provisions of this act.

SECT. 3. *Be it further enacted, &c.*, That every charter of incorporation made under the authority of this act, shall contain, 1st, the name and title of the corporation, and place chosen for its domicile; 2d, a description of the purposes for which it is established, the nature of the business to be carried on, and the designation of the officer on whom citation may be served in suits against the company; 3d, the amount of the capital stock, the number of shares, amount of each share, and the time when and the manner in which payments on stock subscribed shall be called or made; 4th, the mode in which the election of directors or managers shall be conducted; 5th, mode of liquidation at the termination of the charter.

SECT. 4. *Be it further enacted, &c.*, That the charter of all corporations organized under the terms of this act, and the original subscriptions made for the purpose of organizing it, shall be recorded in the office of the recorder of mortgages, or other officer exercising the functions of recorder of mortgages, at the place selected for the domicile of the corporation; and said charter shall be published in a newspaper of said place of domicile, once a week at least, for thirty days; but it shall not be necessary to publish the names of the subscribers, and any subscriber may present the said charter and subscriptions for record with a recorder of mortgages as aforesaid.

SECT. 5. *Be it further enacted, &c.*, That it shall be lawful for the stockholders of any corporation, at a general meeting convened for that purpose, to make any modification, addition or changes in its act of incorporation, or to dissolve the corporation, provided such modification, addition, change or dissolution shall receive the assent of three fourths of the stock represented at such meeting. Provided further, that such modification, addition, change or dissolution shall be recorded as is required by the fourth section of this act.

SECT. 6. *Be it further enacted, &c.*, That any corporation established under this act shall forfeit its charter for insolvency, evidenced by a return of no property found on execution against such corporation; and that in such case it shall be the duty of the district court of the district of such corporation at the instance of any creditor, to decree such forfeiture, and to appoint a commissioner for effecting the liquidation, whose duty it shall be to convert all the assets of the company,

including any unpaid balances due by stockholders on their shares, into cash, and to distribute the same under the direction of the court, amongst the parties entitled thereto, in the same manner, as near as may be, as is done in cases of insolvency of individuals.

SECT. 7. *Be it further enacted, &c.,* That no rail-road, plank-road nor canal shall be constructed through the streets of any incorporated city or town, without the consent of the municipal council thereof; and such consent once obtained, shall not be withdrawn during the term of the charter.

SECT. 8. *Be it further enacted, &c.,* That no stockholder in any corporation organized under this act, shall ever be held liable or responsible, in any manner, for the contracts or debts of such corporation, in any further sum than the amount of any unpaid balance due to the company on the shares owned by such stockholder, nor shall any mere informality in organization have the effect of rendering a charter null, or of exposing a stockholder to any liability beyond the amount of his stock, provided the provisions of this act have been substantially complied with.

SECT. 9. *Be it further enacted, &c.,* That in all cases where rail-roads, plank-roads or canals shall cross any highway, the corporation shall so construct said work as not to hinder, impede or obstruct the safe and convenient use of such highway. That in all cases where rail-roads, plank-roads or canals shall be constructed or dug across any plantation or lands in cultivation, or that may be cultivated, the corporation shall so construct said work as not to hinder, impede or obstruct the drainage of said land; nor shall any privilege herein granted be so construed as to authorize or empower any corporation to hinder or impede, or offer any obstruction to the drainage of any lands through which any rail-road, plank-road or canal may be constructed, after the construction of said work; and if any rail-road or plank-road shall, in its course, cross any tide waters, or navigable rivers or streams, the company may erect, for the sole and exclusive use of such rail-road or plank-road, the bridges required for crossing; but such bridges shall be so constructed as not to obstruct or necessarily impede the navigation of said waters or streams.

SECT. 10. *Be it further enacted, &c.,* That the provisions of the act entitled "an act to provide for the organization of corporations in this state," approved 16th March, 1848, shall not be so construed as to apply to any corporations established under this act.

AN ACT

Relative to the Orleans Navigation Company, the Bayou St. John and Canal Carondelet.

1. *Be it enacted, &c.*, That in the event of a final judgment of a forfeiture being rendered in favor of the State of Louisiana against the Orleans Navigation Company, in the suit now or recently pending on appeal in the Supreme Court, it shall be the duty of the court in which said suit was instituted to proceed to the liquidation of the affairs of said Navigation Company in the manner hereinafter provided, to wit: the said court shall appoint a liquidating commissioner, who shall forthwith proceed to take possession of the entire property of said company, real and personal, moveable and immoveable, and to advertise and sell the same in block at public auction, after sixty days' advertisement, to the highest bidder, payable one tenth in cash, and the remainder in equal annual instalments from one to twenty years; the credit portion of the price to be paid in bonds bearing legal interest, divided into sums according to the directions of said commissioner, secured by mortgage and vendor's privilege on the property sold as aforesaid.

2. *Be it further enacted, &c.*, That immediately after making said sale, it shall be the duty of said commissioner to file in said court a tableau of distribution of the proceeds of said sale, both cash and bonds, as well as of all moneys collected by him for tolls, during the interval between the taking possession and the sale, and the said proceeds and tolls shall be appropriated as follows, viz: *First*, to the expenses of liquidation, including a reasonable compensation to the toll collector; *secondly*, to the payment of the debts of the company in the order of their rank; and *thirdly*, the surplus, if any, to the stockholders of said company. And all the proceedings in said liquidation and on said tableau of distribution shall be the same, as near as may be, as in cases of insolvency of individuals.

3. *Be it further enacted, &c.*, That the said commissioner shall, before entering on the duties of his office, give a bond with security to the satisfaction of the court, for the sum of thirty thousand dollars,

conditioned for the faithful discharge of his duty, and shall receive for his services, including that of making the auction sale aforesaid, a commission of two and a half per cent., on the total amount of cash and bonds distributed under the tableau.

4. *Be it further enacted, &c.*, That it shall be a condition of said sale, that if the purchasers shall organize themselves into a corporation under the laws of this state for a term of twenty-five years, for the purpose of carrying out and effecting all the improvements detailed and described in the reports and plans, known as Harrison's reports and plans, including the construction of a new basin at the junction of Canal Carondelet and Bayou St. John, of the depth and dimensions set forth in said reports, and shall actually complete and effect all said improvements within the term of three years from the date of their charter, then the said corporation shall be entitled to receive and exact all such tolls and revenues for the use of said Canal Bayou and roads as the Orleans Navigation Company was entitled to receive under its charter; provided, that at the end of said term of twenty-five years, the State of Louisiana shall have the option either of granting to said corporation a renewal of the right of receiving said tolls for a second term of twenty-five years, or of purchasing for itself the property and improvements of the company, at the appraised value thereof. And provided further, that if said second term of twenty-five years be granted, the whole property shall revert to the State of Louisiana at the end of said second term, without any payment or compensation made to said company.

5. *Be it further enacted, &c.*, That any corporation formed under the provisions of the preceeding section, shall be entitled to demand and receive said tolls from the time of its organization, on furnishing bond to the satisfaction of the State Treasurer, in the sum of fifty thousand dollars, to secure the completion of all the improvements aforesaid within said term of three years.

6. *Be it further enacted, &c.*, That if the works and improvements to be made by the purchase be not began within six months, and completed within five years, all the right, title and interest acquired by the said purchaser under the provisions of this act, together with all improvements that may be made, shall vest in and belong to the state.

AN ACT

For improving the Inland Navigation of the Territory of Orleans.

SECTION 1. *Be it enacted by the Governor of the Territory of Orleans, by and with the advice and consent of the Legislative Council thereof,* That there shall be established a company for the purpose of improving the inland navigation of this territory, to be called and known by the name of "THE ORLEANS NAVIGATION COMPANY;" that the capital stock of the said company shall consist of two thousand shares, not exceeding one hundred dollars each, and that Joseph Faurie, Francis Duplessis, Julien Poydras, William Kenner, William Wykoff, of the Opelousas, Louis Blanc and George Pollock, shall be and are hereby appointed Commissioners for receiving subscriptions for the capital stock in the said company, and shall provide books for the said company, and shall enter in the said books as follows: "We, whose names are hereunto subscribed, do for ourselves and our legal representatives, promise to pay to the Orleans Navigation Company, such sum or sums of money for each share by us subscribed respectively, as the President and Directors of the said company shall require;" and the said Commissioners shall open the books for the several subscriptions at the city of New-Orleans, and at such places as they may deem proper, on the second Monday in July next, and shall take the subscription of every person who shall offer to become a subscriber, until the whole of said stock shall be subscribed; and shall give notice in two of the public papers printed in the said city, both in the English and French languages, of the time and place of opening the said subscription; and directing the sum which the said Commissioners are hereby authorized to determine which such subscriber shall pay for the first payment on every share which the said Commissioners are hereby authorized to receive in money.

SEC. 2. *And be it further enacted,* That as soon as five hundred shares shall be subscribed in the said company, the persons who shall have subscribed for the said stock, while they continue to be Stockholders therein, and all others who may become Stockholders of the said capital stock, shall be and they are hereby created and made a corporation and body politic in fact and name, to be known by the name and style of the "Orleans Navigation Company;" and by that name they and their successors for ever may have perpetual succession; and by that name the said company shall be and hereby is made able and capable in law to have, purchase, receive, possess, enjoy and retain to them and to their respective successors for ever, lands, rents, tenements, hereditaments, goods, chattels and effects, of what kind, nature or quality soever, requisite for carrying into effect the purposes of this act, and the same to sell, demise, grant or dispose of; and to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in the courts of record, or any other place whatsoever; and also to make, use and have a common seal, and the same to break, alter or renew at their pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and regulations as may seem necessary and convenient for the government of the said corporation, not being contrary to the laws of this territory, or those of the United States; and generally to do and execute all and singular acts, matters and things which to them it shall or may appertain to do, subject to the provisions hereinafter contained.

SEC. 3. *And be it further enacted,* That for the well ordering the affairs of the said corporation, there shall be twelve Directors, to be chosen annually, after the present year, on the first Monday in February, in every ensuing year, by the Stockholders of the capital stock of said corporation, or their proxies: and those who shall be duly chosen at any election, shall be capable of serving as Directors, by virtue of such choice, until the second Monday in February, in the year next following such choice, and until others are duly elected in their places; and the said Directors, at their first meeting after such election, shall choose one of their number for President; and that as soon as five hundred shares shall be subscribed in the said company, the said Commissioners shall give public notice in two of the newspapers, of the time and place of holding an election for Directors of said corporation, for the present year, and it shall be lawful for such elections then and there

to be held ; and the persons then chosen Directors for the said company, shall immediately choose one of their number to be their President ; and the said Directors shall continue in office until the second Monday in February, in the next year, and until others are duly elected in their places : *Provided always*, That in case it should at any time happen that an election of Directors should not be made upon any day when, pursuant to this act, it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but it shall be lawful on any other day to hold and make an election of Directors, in such manner as shall be directed by the said Commissioners, or by the laws and ordinances of the said corporation ; *And provided, also*, That in case of the death, resignation or absence from the territory of a Director, his place may be filled up for the remainder of the year by the said Directors.

SEC. 4. *And be it further enacted*, That it shall be lawful for the said President and Directors to convene special meetings of the Stockholders whenever such meetings shall appear necessary, giving at least fifteen days notice thereof in two of the newspapers printed in the city of New-Orleans, in the English and French languages.

SECT. 5. *And be it further enacted*, That the Directors for the time being of the said corporation, shall have power to appoint such officers, agents, clerks, superintendents, engineers, workmen and others under them, as shall be necessary for executing the business of the said corporation, and to allow them a proper compensation for their services.

SEC. 6. *And be it further enacted*, That the following shall be fundamental rules and articles of the said corporation :

I. Every individual Stockholder, or company, or body corporate holding shares in the said corporation, shall be entitled to one vote for every share, not exceeding ten shares, which he or they may hold in the same.

II. No Director shall be entitled to any emolument which shall not have been allowed at a meeting of Stockholders ; but the Directors may make such compensation to the President as to them may seem reasonable.

III. Not less than seven Directors shall constitute a Board, of whom the President shall always be one, except in case of sickness or necessary absence, in which case his place may be supplied by any

other Director, whom he by writing under his hand shall nominate for the purpose.

IV. Every Treasurer, before he enters upon the duties of his office, shall give bond with two or more securities, to the satisfaction of the Directors, and in such sum as they shall direct.

V. No bank or office of discount shall be established by the said corporation.

VI. The stock of the said corporation shall be assignable and transferable, according to such rules as shall be made in that behalf by the laws and the ordinances of the same.

VII. All bill or notes which may be given by said corporation, or their Directors, signed by the President, and countersigned by the Treasurer or principal clerk, promising the payment of money to any person or persons, his, her or their order, though not under the seal of the said corporation, shall be binding and obligatory upon the same, in like manner, and with the like force and effect as the same would by law, upon any private person or persons, if the same were issued by him or them, and shall be assignable and negotiable in like manner.

VIII. Half yearly dividends shall be made by the said corporation, of such part of the net profits of the same, among the Stockholders, in proportion to their respective shares.

IX. The President and Directors of the said corporation shall have power to direct the mode in which, and the periods when the amount of the shares shall be paid.

SEC. 7. *And be it further enacted*, That the said corporation, by their President, Directors or agents, may enter into, and upon all and singular the land and lands covered with water, where they shall deem it proper to carry the canals and navigation herein before particularly assigned, with or without the consent of the owner or owners thereof, and to lay out such routes and tracks as shall be most practicable for effecting navigable canals as aforesaid, by means of locks and other devices, doing, nevertheless, as little damage as possible to the grounds and enclosures in and over which they shall pass; and thereupon it shall and may be lawful for the said President and Directors to contract and agree with the owners of any lands and tenements, for the purchase of so much thereof as they may deem necessary for the said canal or roads, or any mills, works or buildings adjoining thereto,

if they can agree with such owner or owners ; but in case of disagreement, or in case the owner thereof shall be a married woman, under age, *non compos mentis*, or out of the territory, then it shall and may be lawful to and for the said President and Directors to cause a survey and map to be made of the ground, in their estimation requisite, in the field book, of which survey and map shall be distinguished the land of each of the several owners and occupants, appropriated or intended to be appropriated as aforesaid, and the quality thereof ; and shall exhibit the same to a judge of the Superior Court of this territory, who shall thereupon, by writing, under his hand and seal, appoint not less than three, nor more than five discreet persons, none of whom shall be interested in the said corporation, or the land so surveyed as aforesaid, to appraise the premises specified in such field book.

And it shall be the duty of the appraisors, or a majority of such as shall be appointed, to examine the land of such owner or occupant so appropriated ; and to ascertain the value thereof, and the damages each may sustain by such appropriation, and to make a regular entry of such valuation and assessment of damages, in a book to be kept by them for that purpose, and to certify the same under oath, to be a true, fair and impartial valuation and assessment, to the best of their belief ; and shall thereupon cause such survey and book, the execution of the certificate being first duly proved or acknowledged before a judge of the Superior Court, to be filed in the office of one of the public notaries, there to remain on record. And the said corporation and their successors, upon paying to the several owners the sums of money so assessed as aforesaid, together with the costs of appraisement, shall immediately be vested with a good and indefeasible title to the said lands, and tenements, mentioned and specified in such field book filed as aforesaid : *Provided always*, That no lands shall be surveyed and appraised unless with the consent of the owners, under this section, which shall extend more than one hundred and eighty feet from the edge of such projected canal or navigation.

SEC. 8. *And be it further enacted*, That it shall and may be lawful for the President and Directors of the said company, and their superintendents, engineers, artists, workmen and laborers, with carts, wagons and other carriages, with their beasts of draught and burthen, and all necessary tools and implements, to enter upon the lands contiguous, or near to the tracks of the intended navigation, first giving notice of

their intention to the owners thereof, and doing as little damage thereto as possible, and repairing any breaches they may make in the enclosures thereof, and making amends for any damage that may be sustained by the owners of such grounds, by appraisement in manner hereinafter directed, and upon a reasonable agreement with the owners, if they can agree, or if they cannot agree, then upon an appraisement to be made by three indifferent persons, or a majority of them, to be appointed by any justice of the peace for the district in which such lands shall be situated; and on tender of the appraised value, to carry away any timber, wood, stone, gravel, sand or earth, there situated, most convenient for making or repairing the said canals, navigation and roads.

SEC. 9. *And be it further enacted,* That as soon as the said company shall have improved the navigation of the Bayou St. John, so as to admit at low tides, vessels drawing three feet water, from the Lake Pontchartrain to the bridge at the settlement of the Bayou, then the said President and Directors shall be entitled to ask, have and receive, from every vessel passing in or out of the said Bayou, a sum not exceeding one dollar for every ton of the admeasured burthen of the said vessel, and so in proportion for every boat of a burthen less than one ton: and when further improvement shall permit vessels drawing three feet water, to pass from the said Bayou by the Canal Carondelet to the basin terminating the same at the city ditch, the said President and Directors shall be entitled to ask, have and receive an additional toll not exceeding one dollar per ton, as aforesaid: and when the said navigation shall be improved by the said company, so as to admit vessels drawing three feet water from the Lake Pontchartrain to any place within one hundred yards of the river Mississippi, it shall be lawful for the said company to have and receive an additional toll not exceeding one dollar per ton as aforesaid; and when the communication between the said navigation and the river Mississippi shall be made complete, every vessel passing from the said navigation shall pay a toll not exceeding five dollars for every foot of the draught of said vessel.

And on every other canal which shall be made, or other natural means of navigation which shall be improved by the said company, so as to admit vessels drawing three feet water from the sea or lakes to the river Mississippi, it shall be lawful for the said company to demand, have and receive toll, provided that the said toll shall not exceed in

the whole the sum of five dollars for every ton of the burthen of such boat or vessel, and so in proportion for every boat of a burthen less than one ton; unless by and with the consent of the Governor of the territory for the time being; and it shall and may be lawful for the President and Directors of the said company, to appoint such and so many collectors of toll, for the passage of boats and vessels in, through and along the said canal, and in such places as they shall think proper, and that it shall and may be lawful to and for such toll collectors, and their deputies, to demand and receive the tolls aforesaid of and from the persons having the charge of such boats and vessels.

SEC. 10. And in order to ascertain the tonnage of boats using the the said canals and navigation, *Be it further enacted*, That on the request of the owner or supercargo of such boat or vessel, or of the collector of the said tolls, it shall and may be lawful for each of them to choose one person to measure and ascertain the number of tons which the said boat or vessel is capable of carrying, and to mark the same in figures on the head and stern of said boat; and the said vessel, so measured and marked, shall always be permitted to pass through the said canal navigation for the price per ton to which the number of tons so marked shall amount; and if the owner or supercargo of such vessel shall decline choosing a person resident within one league and a half of the place where such toll is payable, to ascertain the tonnage thereof, then the amount of such tonnage shall be fixed by a person to be appointed for that purpose by the said collector of tolls; and the said toll shall be paid according to such measurement.

SEC. 11. *And be it further enacted*, That the collectors of toll, duly appointed and authorized by the President and Directors of the said corporation, may stop and detain all boats and vessels, using the canals and navigation to which they respectively belong, until the owner or commander, or supercargo of the same shall pay the toll so affixed as aforesaid, or may distrain part of the cargo therein contained, sufficient, by the appraisement of two credible witnesses, to satisfy the same, which distress shall be kept by the collector of the tolls taking the same, for the space of eight days, and shall afterwards be sold by public vendue, at the most public place in the neighborhood, to the highest bidder, in the same manner and form as goods seized for rent are by law sold, rendering the surplus on demand, if any there be after payment of the said toll, and the costs of distress and sale, to the owner or owners thereof.

SEC. 12. *And be it further enacted,* That if any person shall break or throw down any embankment, or other work, lawfully erected by virtue of this act, or shall forcibly pass through any of the said canals or improved navigation, such persons, besides making good all the damage occasioned thereby, shall forfeit and pay, in addition to the toll legally due, the sum of one hundred dollars, to be recovered by the said treasurer of the said corporation to their use.

SEC. 13. *And be it further enacted,* That the President and Directors may lay out and construct, from the bridge at the Bayou settlement, a highway or road on each side of the said Bayou; and that if such road or roads shall be constructed of shells, sands, or other hard materials, and shall be at least of the breadth of twenty feet, and fit at all seasons for the passage of every kind of wheel carriages, and shall be so certified under oath by three respectable persons, or a majority of them, not interested in the said company, to be nominated by the Governor of the territory, then the said President and Directors may erect a toll-gate on each of such roads, so soon as one league thereof shall be so certified to be completed as aforesaid, and that it shall and may be lawful for the person or persons appointed by the said President and Directors to take and receive the following sums for passage through each of the said gates, that is to say:

For every man and horse, six and a quarter cents.

Cart, chair or cabriolet, with one or more horses, twelve and a half cents.

Coach, phaeton or other four wheeled carriage, twenty-five cents.

SEC. 14. *And be it further enacted,* That one hundred shares in the said corporation shall be reserved for the bank of Louisiana, and one hundred other shares for the city of New Orleans: provided the said bank and the said city shall signify their wish to subscribe for the same, within six months from the passing of this act.

SEC. 15. *And be it further enacted,* That whenever the clear profits upon the money actually paid to the said company upon each share of the capital stock thereof, shall exceed the amount of fifty per cent. per annum, for three successive years, the excess of any profit arising thereafter, over and above the said fifty per cent., shall belong to the public exclusively, and shall be disposed of in such a manner as the legislature of the territory may direct.

SEC. 16. *And be it further enacted,* That it shall be the duty of President and Directors of the said corporation to transmit every year

to the Governor and legislative council of this territory accounts, signed by the said President, of the sums paid and the dividends made during each year on each share of the said capital stock of the said corporation.

SEC. 17. *And be it further enacted*, That the operations of the said company shall be confined in the first instance to the improvement of the inland navigation of the county of Orleans and of the Bayou Plaquemine; and that the said company are not nor shall be authorized to make, open or clear any other canal or navigation without the consent and approbation of the Governor of this territory, for the time being, previously obtained for that purpose, any thing in this act to the contrary notwithstanding.



AN ACT

Supplementary to an act, entitled “ An Act for Improving the Inland Navigation of the Territory of Orleans.”

(Approved March. 18th, 1809.)

Be it enacted, by the Legislative Council and House of Representatives of the Territory of Orleans, in General Assembly convened, That the improvements of the Orleans Navigation Company shall not extend to the Bayou Plaquemine, notwithstanding the authority given to said company by the seventeenth section of the act to which this is a supplement.



AN ACT

To restrict the powers of the Orleans Navigation Company

Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That the operations of said company, (Orleans Navigation Company,) shall be confined and restricted to the improvement of the inland navigation of the island of Orleans, any thing in the act, entitled “ An act for improving the inland navigation of the territory of Orleans,” to the contrary notwithstanding.

ACTS OF CONGRESS

RELATING TO THE ORLEANS NAVIGATION COMPANY.



CHAPTER 36.

AN ACT

Respecting claims to land in the Territories of Orleans and Louisiana.

Be it enacted by the Senate and House of Representatives of the United States, of America, in Congress assembled :

* * * * *

SECTION 3. *And be it further enacted*, That the claim of the corporation of the city of New Orleans, to the commons adjacent to the said city, and within six hundred yards from the fortifications of the same be, and the same are hereby recognised and confirmed ; Provided, that the said corporation shall, within six months after passing this act, relinquish and release any claim they may have to such commons beyond the distance of six hundred yards aforesaid : Provided, also, that the corporation shall reserve for the purpose, and convey, gratuitously, for the public benefit of the company authorised by the legislature of the territory of Orleans, as much of the said commons as shall be necessary to continue the canal of Carondelet from the present basin to the Mississippi, and shall not dispose of, for the purpose of building thereon, any lot within sixty feet of the space reserved for a canal, which shall for ever remain open as a public highway : And provided, also, that nothing herein contained shall be construed to effect or impair the rights of any individual or individuals to the said commons, which are derived from any grant from the French or Spanish government.

Approved, March 3d, 1807

CHAPTER 15.

AN ACT

Making appropriations to complete the fortifications commenced for the security of the seaport towns and harbors of the United States, and to defray the expense of deepening and extending to the river Mississippi the Canal of Carondelet.

Be it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled :

* * * * *

SECTION. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorized to cause the Canal of Carondelet, leaving from Lake Pontchartrain, by way of the Bayou St. John, to the city of New-Orleans, to be extended to the river Mississippi, and made sufficiently deep throughout to admit an easy and safe passage to gun boats, if, upon the survey thereof, he shall be convinced that the same is practicable, and will conduce to the more effectual defence of said city ; and that for the purpose of defraying the expense thereof, there be, and hereby is appropriated the sum of twenty-five thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated.

Approved, February 10th, 1809.

CHAPTER 94.

Granting to the President and Directors of the New-Orleans Navigation Company, and their successors a lot of ground.

Be it enacted, &c., That all the right and claim of the United States to a lot of ground in the county of Orleans, and state of Louisiana, bounded above by the lands of Don Miguel, and fronting on the Bayou St. John, containing one hundred and eighty feet front, and five hundred and forty feet back, including the improvements thereon, now occupied by the said company, be, and the same is hereby vested in, and conveyed to the President and Directors of the Orleans Navigation Company, for the time being, and their successors, for the use and benefit of said company for ever.

Approved, April 18th, 1844.

CHARTER
OF THE
New-Orleans Canal and Navigation Company.

We the undersigned agree to form ourselves into a corporation under the laws of the state of Louisiana, as particularly set forth in "an Act for the organization of corporations, for works of public improvement and utility," approved March 12th 1852, and an act of said state entitled, "an Act relative to the Orleans Navigation Company, the Bayou St. John, and Canal Carondelet," approved March 18th 1852 for the purpose of improving the Canal Carondelet, and the navigation of the Bayou St. John, and in accordance with the charter of the "Orleans Navigation Company;" and for that purpose have formed the annexed charter and signed the same.

CHARTER OF THE COMPANY.

1st. The said corporation shall be called the "New-Orleans Canal and Navigation Company:" and its domicile is fixed in the city of New-Orleans. The President of the company is the officer designated as the one on whom legal service of all process or citation against the company may be made, and the company agree to be bound by service of process or citation, whether made on the President in person, or left to his address at the office of the company in the hands of any of its officers.

2nd. The said corporation is established for the purpose of making improvements upon the Canal Carondelet, Bayou St. John, and other purposes, within the parish of Orleans in the state of Louisiana, in ac-

cordance with an act of said state, entitled "An act relative to the Orleans Navigation Company, the Bayou St. John, and the Canal Carondelet," approved March 18th 1852 and in accordance with the charter of the Orleans Navigation Company.

3d. The capital stock of the said company is fixed at five hundred thousand dollars, divided into five thousand shares, of one hundred dollars each. A payment of fifteen per cent. on the amount of each share shall be made at the time of subscribing, the subsequent payments shall be made in such sums, and at such periods as shall be fixed by the Directors.

4th. The business of the corporation shall be conducted by a Board composed of nine Directors, who shall be Stockholders. The Directors shall elect one of their body as President of the company at their first meeting after their election. A quorum to transact business shall consist of at least five Directors.

5th. At all elections by the Stockholders, and at all their meetings each share shall be entitled to one vote. Votes may be given in person or by proxy.

6th. The first election of Directors shall be held on the Eighteenth day of October 1852 in the city of Philadelphia. The Directors then elected, shall hold office until the first Monday in January 1854: on which day, and annually thereafter, the election of Directors shall take place. The elections shall be by ballot. On each ballot shall be written the name of the person voted for, and the number of shares which it represents.

7th. A failure to elect Directors shall not dissolve the corporation, but the Board in office shall continue the exercise of its functions, until a new Board shall be elected.

8th. All notices of elections, and meetings of Stockholders, shall be given by publication thirty days, in a newspaper in New-Orleans and in Philadelphia.

9th. In case of failure on the part of any subscriber to pay the instalments on his stock as may be required, the Board of Directors shall have the option, after thirty days notice to the defaulter, of declaring his stock forfeited, and selling it for the benefit of the company, or compelling by suit, the payment of such instalments: and no Stockholder shall be permitted to vote, on any question, whilst in default.

10th. All meetings of the Stockholders called for the purpose of increasing or diminishing the capital stock of the company, or for any of the purposes enumerated in the fifth section of the act of the legislature of Louisiana, entitled, "An act for the organization of corporations, for works of public improvement and utility," shall be composed of persons holding in their own right, or as agents for others, at least two thirds of the stock of the company, in order to take valid and binding action in the premises. At all other meetings of Stockholders, and at all elections, a majority of the capital stock of the company shall be represented, and in the latter case, if such majority be not present nor represented, the meeting shall be adjourned for ten days, and the vote of the majority of the stock present, and represented at such adjourned meeting, shall bind the company, in the same manner as if a majority of all the stock were present and represented.

11th. Any vacancy in the Board of Directors occurring during the year, may be filled by a vote of the Board of Directors.

12th. The President and Directors of the said corporation, shall have power to make and use a common seal, and to do every thing necessary for the construction, repair and maintenance of the improvements of the navigation of the canal, and Bayou herein before described, as well as for the construction of docks, wharves, and other improvements, deemed necessary: and for the purpose of speedily and properly making said improvements, to purchase all machines, and other equipments, deemed by them necessary or useful to the purposes of the company; to appoint a Secretary, Treasurer, Superintendant and other Officers and Servants necessary or proper, for the faithful performance of any duty necessary to the proper maintenance of the said improvements; to fix the rates of tolls thereon, to make rules and regulations, and other by-laws deemed necessary for the proper, safe and regular transaction of the business of the company. But such rules and regulations shall be subject to repeal or amendment, by a majority of the Stockholders, at their meetings, or by the President and Directors in the interval. They shall declare semi-annually the dividends arising from said improvements, after the payment of all necessary expenses, and they shall keep, or cause to be kept, a regular set of books, in which shall be entered all the business transactions of the company.

13th. Stock books shall be kept at the office of the company. Certificates of stock shall be issued to the Shareholders, and no transfer of stocks shall be binding on the company, until made on its stock

book. No transfer of stock, shall exempt the party transferring it, ~~from~~ the obligation of paying instalments previously called for; and no Stockholder shall be entitled to vote, at any meeting of the Stockholders, unless he became a Stockholder, on the books of the company, at least thirty days previous to such meeting.

14th. The Directors may establish offices for the transfer of stock, in the cities of Philadelphia and New-Orleans.

15th. No money shall be borrowed by the said company, unless authorized, by a vote of two thirds of the stock represented at a regularly called meeting of the Stockholders. But the Board of Directors may contract for the purchase of land, machinery, materials and other necessary supplies, or labor, on such terms as they may deem proper.

16th. At the annual meeting of the Stockholders, on the first Monday in January, statements of the financial and other affairs of the company shall be laid before the meeting by the President and Directors then in office. The President and Directors may call other meetings when they may think proper, and it shall be their duty at any time, on the requisition in writing, of Stockholders representing one fifth of the stock of the company, to call a meeting of the Stockholders, to take into consideration any matters affecting the interest of the company.

17th. At the expiration of the charter, or whenever the dissolution of the corporation shall render necessary its liquidation, three Commissioners shall be elected by the Stockholders, at a meeting convened for that purpose, whose duty it shall be, to take possession of the property of the company, and conduct its business to a final liquidation, on such terms, and in such manner as shall then be determined, and in accordance with the act of the legislature of the state of Louisiana entitled, "An act relative to the Orleans Navigation Company, the Bayou St. John and Canal Carondelet," Approved the 18th March 1852.

Philadelphia, October 18th, 1852.

ARCHIBALD ROBERTSON,
OLIVER HOUGH,
ALEXANDER OSBOURN,
STEWART NEWELL,
BERNARD DOUREDURE,
ISAAC D. KNIGHT,
SAMUEL NEWELL,
JAMES A. CUMMINGS,
PHINEAS C. WRIGHT,
EDWARD H. DURELL.

STATE OF PENNSYLVANIA,

City and County of Philadelphia.

S. S.

Be it remembered, That on the 10th day of October, in the year of our Lord, one thousand eight hundred and fifty-two, before me, John Broadhead, a Commissioner resident in said state of Pennsylvania, appointed by the Governor of the state of Louisiana, to take the acknowledgments and proof of deeds and other instruments of writing, personally appeared Archibald Robertson, Oliver Hough, Alexander Osbourn, Stewart Newell, B. Douredoure, Isaac D. Knight, Samuel Newell, J. A. Cummings, and P. C. Wright, who are severally known to me, to be the individuals, whose names are subscribed to the foregoing writing, and they did severally, and each one for himself acknowledge, that they executed the foregoing writing, for the uses and purposes therein mentioned. In testimony whereof, I have hereunto set my hand, and affixed my official seal, as such Commissioner, the day and year last aforesaid.

JOHN BROADHEAD,

A Commissioner for the state of Louisiana, resident in Pennsylvania.

THE UNIVERSITY OF CHICAGO

PHILOSOPHY DEPARTMENT

PHILOSOPHY 101
Lecture Notes
Lecture 1: Introduction to Philosophy
Lecture 2: The Nature of Philosophy
Lecture 3: The History of Philosophy
Lecture 4: The Philosophy of Language
Lecture 5: The Philosophy of Mind
Lecture 6: The Philosophy of Science
Lecture 7: The Philosophy of Law
Lecture 8: The Philosophy of Religion
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PHILOSOPHY 102

PHILOSOPHY 103

PHILOSOPHY 104

PHILOSOPHY 105

BY - L A W S

OF THE

New-Orleans Canal and Navigation Company.

ARTICLE 1. A meeting of the Stockholders for the election of Directors, and for other purposes, shall be held annually, on the first Monday in January, (except in the year 1853,) at the office of the Secretary of the company, in the city of Philadelphia, or at such other place as the Directors may designate, and notice thereof shall be given, at least thirty days previously thereto, by advertisement in a newspaper, in the cities of Philadelphia and New-Orleans respectively, which notice shall be published at least once in each week until such meeting.

ART. 2. At the annual meeting, there shall be chosen by ballot from among the Stockholders, nine Directors to serve for the ensuing year, and until others shall be duly elected to succeed them. The Directors thus chosen shall elect one of their members President, and shall also appoint a Secretary, and Treasurer, a Finance Committee and a Managing Committee, each committee to consist of not less than three Directors to serve for one year, and until others are appointed to succeed them, the President shall be ex-officio, a member of each of such committees.

ART. 3. The stated meetings of the Board of Directors shall be held monthly, on the second Monday of every month, at the office of the company in the city of Philadelphia. Special meetings of the Board may be called at any time, on the written request of four members addressed to the President, who shall direct the Secretary to give notice of such Special meeting.

ART. 4. At all meetings, the President, or in his absence a President pro tempore shall preside, and five members of the Board of Directors shall constitute a quorum for the transaction of business.

ART. 5. The order of business shall be as follows :

1st. The minutes of the preceeding stated meeting, and of all subsequent special meetings, shall be read by the Secretary, and submitted for approval or correction.

2d. The Secretary's report shall be read.

3d. The Treasurer's report shall be read.

4th. The reports of Committees shall be read and acted upon, in the order named in Article 2.

5th. Deferred business and new business.

ART. 6. The President shall preserve order. When a motion shall be made and seconded, it shall before debate, be stated by the President, and every motion shall be entered on the minutes, together with the names of the mover and supporter, unless dispensed with by the Board. No Director shall speak more than twice on any question without permission of the Board, and shall rise to address the President. The yeas and nays may be called by any two members, and the names shall be called alphabetically, the President last.

ART. 7. All Committees except those named in Article 2., shall be appointed by the President.

ART. 8. The Secretary and Treasurer shall be ex-officio members of the Board of Directors, but shall not be entitled to vote upon any question pending before the Board, unless they are *elected* members thereof.

ART. 9. The Secretary shall keep his office in the city of Philadelphia, which shall be the office of the company, in that city. He shall keep a faithful record of all the acts and doings of the Board of Directors. He shall make reports of the business of the company to the Board of Directors monthly, or oftener if required, and generally do and perform all other acts pertaining to the office of Secretary, or that the Board shall from time to time require. In case of his absence or inability, a Secretary may be appointed by the Board pro tempore. The Secretary shall also, by the approbation of the Board of Directors, appoint an Assistant Secretary at New-Orleans, who may be required to give security for the faithful performance of his duties.

ART. 10. It shall be the duty of the Assistant Secretary at New-Orleans, to keep the books and accounts of the company, to receive moneys collected from tolls and other sources, and deposit the same as he shall be directed by the Treasurer, and to make full and accurate returns thereof, and report to the Secretary at the end of each and every month.

ART. 11. The Treasurer shall receive from the Secretary all moneys of the company, and deposit the amount thereof in Bank, and invest and disburse the same, as the Board of Directors may order and direct. He shall keep a regular cash account, and shall make monthly reports to the Board of Directors of the receipts and disbursements. He may be required to give security for the faithful performance of the duties of his office.

ART. 12. The Finance Committee shall provide means to pay all approved claims, from the resources of the company, they shall have authority to direct the funds of the corporation to the purposes contemplated by its charter, and shall make report of all their acts monthly to the Board of Directors.

ART. 13. The Managing Committee shall also be the committee on claims. They shall manage the business of the company at New-Orleans, appoint a Superintendent, and such subordinates as may be required, shall be charged with the purchase of materials and with all things necessary to be done in the execution of the works and improvements contemplated in the Charter. They shall investigate and approve of, or reject all claims against the company, and report monthly to the Board of Directors, of all their acts. The President shall be ex-officio a member of such committee. One of said committee shall be required to be at all times at New-Orleans.

SEC. 14. The salaries of the officers, superintendents and agents shall be fixed by the Board of Directors, as also all compensation allowed to committees or members for services, and no change shall be made in such appointments, salaries or compensations, unless by a vote of a majority of the whole Board of Directors.

ART. 15. All certificates of stock issued by this company, shall have the corporate seal of the company affixed thereto; be signed by the President, and attested by the Secretary, and countersigned by the Treasurer, and no transfer shall be allowed on the books of the company, until all arrearages shall be paid.

ART. 16. Books for the recording and transferring of stock, shall be opened at the office of the company in Philadelphia and New-Orleans respectively. The Secretary and Assistant Secretary shall, without any delay, notify each other of any transfer of stock on their books respectively.

ART. 17. Directors shall be voted for by ballot: on each ballot shall be written the name of the person voted for, and the number of shares such ballot represents.

ART. 18. In all elections for Directors, each share shall be entitled to one vote: and such vote may be cast in person, or by proxy in writing, attested by a witness.

ART. 19. The corporation shall have a common seal, with such device as the Directors shall determine, which seal shall be kept by the Secretary.

ART. 20. In case of non-payment, in whole or in part, by any Stockholder of any instalment or instalments, or assessments, on any share or shares of stock, as the same may be called for or levied by the Directors, the Board of Directors may proceed, (after thirty days notice in writing, to any Stockholder in default,) to declare said stock forfeited to the company, together with all or any instalments, or assessments previously paid thereon, or may institute suit against such Stockholder, for any instalment or assessment in arrears, or may sell the stock, as the Board of Directors may deem most beneficial to the interests of the company.

ART. 21. The assessments or instalments upon stock, ordered by the Board of Directors, as provided in the Charter, shall be due and payable, by the Stockholders, after thirty days notice given by advertisement thereof, in a newspaper published in the cities of Philadelphia and New-Orleans respectively, once in each week, for four consecutive weeks, prior to the time named for the payment of such instalment or assessment.

ART. 22. The Board of Directors shall fix the rate of tolls to be collected upon the Canal and Bayou St. John, and upon other works which may be hereafter completed by the company, under the conditions of, and in accordance with, the objects and purposes of the charter, and they may alter such rates from time to time, as the interests of the company may, in the judgment of the Board require.

ART. 23. Any of these By-Laws may be altered, amended, or repealed, by a vote of the holders of two thirds of the shares, at a regularly called meeting of the Stockholders, or by the Board of Directors at the intervals, subject however to repeal or modification by the Stockholders, at their meetings aforesaid.